

Hultgren	Mica	Royce	Reyes	Scott (VA)	Towns
Hunter	Miller (FL)	Runyan	Ribble	Scott, David	Tsongas
Hurt	Miller (MI)	Ryan (WI)	Richardson	Serrano	Turner
Issa	Miller, Gary	Scalise	Richmond	Sewell	Van Hollen
Jenkins	Mulvaney	Schilling	Roby	Sherman	Velázquez
Johnson (IL)	Murphy (PA)	Schmidt	Rogers (AL)	Shimkus	Visclosky
Johnson, Sam	Myrick	Schock	Rogers (KY)	Shuler	Walz (MN)
Jones	Neugebauer	Schweikert	Ross (AR)	Shuster	Wasserman
Jordan	Nugent	Scott (SC)	Rothman (NJ)	Simpson	Schultz
King (NY)	Nunes	Scott, Austin	Roybal-Allard	Sires	Waters
Kingston	Olson	Sensenbrenner	Ruppersberger	Slaughter	Watt
Kinzinger (IL)	Paul	Sessions	Rush	Smith (NE)	Waxman
Kline	Paulsen	Smith (NJ)	Ryan (OH)	Smith (WA)	Welch
Labrador	Pearce	Smith (TX)	Sánchez, Linda	Speier	Wilson (FL)
Lamborn	Pence	Southerland	T.	Stark	Womack
Lance	Perlmutter	Stearns	Sanchez, Loretta	Sutton	Woolsey
Landry	Peters	Stivers	Sarbanes	Thompson (CA)	Wu
Lankford	Petri	Stutzman	Schakowsky	Thompson (MS)	Yarmuth
Latta	Pitts	Sullivan	Schiff	Thompson (PA)	Young (AK)
Lewis (CA)	Poe (TX)	Terry	Schrader	Tierney	Young (FL)
LoBiondo	Polis	Thornberry	Schwartz	Tonko	
Long	Pompeo	Tiberi			
Lucas	Posey	Tipton			
Luetkemeyer	Price (GA)	Upton	Ellison	Gutierrez	Marchant
Lungren, Daniel E.	Quayle	Walberg	Giffords	Hinchez	
Mack	Reichert	Walden			
Manzullo	Renacci	Walsh (IL)			
Matheson	Rigell	Webster			
McCarthy (CA)	Rivera	West			
McCaul	Roe (TN)	Westmoreland			
McClintock	Rogers (MI)	Rogers			
McCotter	Rohrabacher	Whitfield			
McHenry	Rokita	Wilson (SC)			
McKeon	Rooney	Wittman			
McMorris	Ros-Lehtinen	Wolf			
Rodgers	Roskam	Woodall			
	Ross (FL)	Yoder			
		Young (IN)			

NOES—239

Ackerman	DeLauro	Kind
Aderholt	Denham	King (IA)
Alexander	Deutch	Kissell
Altmire	Dicks	Kucinich
Andrews	Dingell	Langevin
Austria	Doggett	Larsen (WA)
Baca	Dold	Larson (CT)
Bachus	Donnelly (IN)	Latham
Baldwin	Doyle	LaTourette
Barletta	Dreier	Lee (CA)
Barrow	Duncan (SC)	Levin
Bass (CA)	Edwards	Lewis (GA)
Becerra	Emerson	Lipinski
Berkley	Engel	Loebsack
Berman	Eshoo	Loftgren, Zoe
Bishop (GA)	Farr	Lowey
Bishop (NY)	Fattah	Lujan
Blackburn	Filner	Lummis
Blumenauer	Fincher	Lynch
Bonner	Fitzpatrick	Maloney
Boren	Fleischmann	Marino
Boswell	Frank (MA)	Markey
Brady (PA)	Frelinghuysen	Matsui
Bralley (IA)	Fudge	McCarthy (NY)
Brown (FL)	Garamendi	McCollum
Butterfield	Gerlach	McDermott
Capito	Gibson	McGovern
Capps	Gonzalez	McIntyre
Capuano	Gowdy	McKinley
Cardoza	Green, Al	McNerney
Carnahan	Griffin (AR)	Meehan
Carney	Grijalva	Meeks
Carson (IN)	Guthrie	Michaud
Castor (FL)	Hanabusa	Miller (NC)
Chandler	Harper	Miller, George
Chu	Hartzler	Moore
Cicilline	Hastings (FL)	Moran
Clarke (MI)	Hastings (WA)	Murphy (CT)
Clarke (NY)	Heck	Nadler
Clay	Higgins	Napolitano
Cleaver	Himes	Neal
Clyburn	Hinojosa	Noem
Coble	Hirono	Nunnelee
Cohen	Hochul	Olver
Connolly (VA)	Holden	Owens
Conyers	Holt	Palazzo
Cooper	Honda	Pallone
Costa	Hoyer	Pascrell
Costello	Inslee	Pastor (AZ)
Courtney	Israel	Payne
Crawford	Jackson (IL)	Pelosi
Crenshaw	Jackson Lee	Peterson
Critz	(TX)	Pingree (ME)
Crowley	Johnson (GA)	Platts
Cuellar	Johnson (OH)	Price (NC)
Cummings	Johnson, E. B.	Quigley
Davis (CA)	Kaptur	Rahall
Davis (IL)	Keating	Rangel
DeFazio	Kelly	Reed
DeGette	Kildee	Rehberg

There was no objection.

ELECTING A MEMBER TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mr. LARSON of Connecticut. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 350

Resolved, That the following named Member be and is hereby elected to the following standing committee of the House of Representatives:

(1) COMMITTEE ON ETHICS.—Mr. Courtney.

Mr. LARSON of Connecticut (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that, during further consideration of H.R. 2354 in the Committee of the Whole pursuant to House Resolution 337, no further amendment to the bill may be offered except: pro forma amendments offered at any point in the reading by the chair or ranking minority member of the Committee on Appropriations or their respective designees for the purpose of debate; amendments printed in the CONGRESSIONAL RECORD and numbered 21, 26, 27, 53, 63, 66, 67, 70, 75, 76, 80, and 81; an amendment by Mrs. ADAMS regarding limiting funds for a Department of Energy Web site that disseminates information regarding energy efficiency and educational programs to children or adolescents; two amendments by Mrs. BLACKBURN regarding across-the-board cuts; an amendment by Mr. BROUN of Georgia regarding limiting funds for certain programs, projects or activities in Energy Programs-Science; two amendments by Mrs. CAPPs regarding limiting funds for the Diablo Canyon Nuclear Power Plant; an amendment by Mr. COHEN regarding funding levels for the Solar Energy Program; an amendment by Mr. DENHAM regarding limiting funds to implement section 10011(b) of Public Law 111-11; an amendment by Mr. ENGEL regarding limiting funds for lease or purchase of new light-duty vehicles; an amendment by Ms. ESHOO regarding limiting funds for contracts with business entities that do not disclose political expenditures; an amendment by Mr. FLAKE regarding limiting funds for Advanced

NOT VOTING—5

Ellison
Giffords
Gutierrez
Hinchez
Marchant

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1512

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. FRELINGHUYSEN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WEBSTER) having assumed the chair, Mr. DOLD, Acting Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

RESIGNATION AS MEMBER OF COMMITTEE ON ETHICS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Ethics:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 14, 2011.

Hon. JOHN BOEHNER,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I write to inform you that I have notified Chairman Bonner and Ranking Member Sanchez of my resignation from the Ethics Committee of the House of Representatives.

It is because of my high regard for the Ethics Committee and its vital, non-partisan role enforcing the standards of official conduct in the House of Representatives that I make this decision. Having recently announced my candidacy for the United States Senate, I want to ensure my status as a candidate for higher office does not in any way cause the work of the Ethics Committee to become fodder for politics or partisanship.

It has been a privilege and an honor to serve on this committee.

Sincerely,

MAZIE K. HIRONO.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

Research Projects Agency-Energy; an amendment by Mr. FLAKE regarding limiting funds for Fossil Energy Research and Development; amendments by Mr. FRELINGHUYSEN regarding funding levels; an amendment by Mr. GOSAR regarding the Davis-Bacon Act; an amendment by Mr. GRAVES regarding limiting funds to be used in contravention of the 2006 Missouri River Master Manual; an amendment by Mr. HASTINGS of Florida regarding limiting funds to be used in contravention of Executive Order No. 12898; an amendment by Mr. HASTINGS of Washington regarding limiting funds for the McNary Shoreline Management Plan; an amendment by Mr. HASTINGS of Washington regarding limiting funds for the Office of Nuclear Security; an amendment by Mr. HASTINGS of Washington regarding limiting funds for Federal Energy Regulatory Commission project No. 2342; an amendment by Ms. JACKSON LEE of Texas regarding limiting funds to be used in contravention of the Department of Energy Organization Act; an amendment by Ms. KAPTUR regarding funding for Energy Efficiency and Renewable Energy; an amendment by Mr. LUTKEMEYER regarding the study pursuant to section 5018(a)(1) of the Water Resources Development Act of 2007; an amendment by Mr. ROHRABACHER regarding limiting funds for loan guarantees for carbon capture and sequestration; an amendment by Mr. ROHRABACHER regarding 10 percent of loan guarantee funds for non-water advanced nuclear reactors; an amendment by Mr. ROHRABACHER regarding loan guarantees for carbon capture and sequestration projects not exceeding funds for non-water advanced nuclear reactor loan guarantees; an amendment by Mr. RICHMOND or Mr. SCALISE regarding funding for Corps of Engineers construction; and an amendment by Mr. SHERMAN regarding limiting funds for international activities at the Office of Energy Efficiency and Renewable Energy; and, further, that each such amendment may be offered only by the Member named in this request or a designee, or by the Member who caused it to be printed in the CONGRESSIONAL RECORD or a designee, shall not be subject to amendment, except that the chair and ranking minority member of the Committee on Appropriations (or a respective designee) each may offer one pro forma amendment for the purpose of debate, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole; and, further, that each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent; and, further, that an amendment shall be considered to fit the description stated in this request if it addresses in whole or in part the object described.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 337 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2354.

□ 1520

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, with Mr. DOLD (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, the bill had been read through page 62, line 2.

Pursuant to the order of the House of today, no further amendment may be offered except those specified in the previous order, which is at the desk.

AMENDMENT NO. 26 OFFERED BY MR. COLE

Mr. COLE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act may be used to implement any rule, regulation, or executive order regarding the disclosure of political contributions that takes effect on or after the date of enactment of this Act.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Oklahoma (Mr. COLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. COLE. Mr. Chairman, in April a draft Executive order was circulated that would force companies, as a condition of applying for a Federal contract, to disclose all Federal campaign contributions. In my opinion, if implemented, this Executive order would lead to a significant politicization of the Federal procurement process. Instead of judging companies on the basis of their past work performance, their demonstrated ability to do the job or their price, we would actually introduce potentially the element of their political participation and contributions and activities into the consideration process.

This Executive order would not, in fact, lead to more objectivity in the evaluation process. It would, instead, chill the constitutionally protected right of people to donate politically to whatever candidate or cause or political party they choose to. Those very same people would fear repercussion to their bottom line as, frankly, I'm sure this Executive order intends to do.

The draft order claims that these burdensome and intrusive disclosure

requirements are necessary to ensure that contracting decisions, quote, deliver the best value to the taxpayer and are free from the undue influence of extraneous factors such as political activity or political favoritism. If one accepts this rationale—and I certainly don't—then delivering the, quote, best value to the taxpayer would require such disclosure by anyone receiving Federal dollars.

This Executive order would not apply to Federal employee unions that negotiate with the government to provide billions of dollars in benefits for their members, nor would it apply to many nonprofits that receive Federal grants, many of whom have strong political agendas of their own.

My amendment would prevent any funds from this act going towards the implementation of any rule, regulation, or Executive order regarding political contributions that takes effect on or after the date of the enactment of the act. It is important to recognize, Mr. Chairman, my bill does not change Federal campaign law in any way. It does not change the current disclosure requirements.

My amendment has already been agreed to on three previous pieces of legislation: the Defense Authorization bill for FY 2012, the Homeland Security appropriations bill, and also the Defense appropriations bill.

Mr. Chairman, "pay-to-play" has no place in the Federal contracting process. Requiring the disclosure of campaign contributions for government contracts in my opinion does just that.

Congress considered the proposed Executive order, something like it, during the 111th Congress as part of the DISCLOSE Act and rejected it. This Executive order is a backdoor attempt to implement the DISCLOSE Act by executive fiat.

For those reasons, Mr. Chairman, I urge the adoption of the amendment.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. COLE. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise to support the amendment.

The Department of Energy relies heavily on a dedicated contractor workforce to manage and operate our national laboratories. Therefore, such an Executive order would impact nearly every program at the Department of Energy.

I urge a "yes" vote on the gentleman from Oklahoma's amendment, a member of our committee.

Mr. COLE. I reserve the balance of my time.

Ms. ESHOO. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. ESHOO. I thank the chairman.

I rise once again in strong opposition to Representative COLE's amendment to block transparency and disclosure for taxpayers. That's what this issue is about.

It is with continuing curiosity that when I listened to the gentleman, Mr. COLE, present his view, if in fact you believe in disclosure, bring a bill to the floor. The reason that the House has passed what you keep offering is the House is not presented with an opposing view because my amendment is continually blocked and not accepted to be debated on the floor.

What this is about is the following: there are businesses large and small that receive billions of taxpayer dollars for services and products in doing business with the Federal Government. In return for this public money, they should have the obligation, which is not burdensome, to simply disclose how they use it. That's all this is. When they spend it in our elections, they know it, the recipients know it, but the taxpayers don't know it. That's one hell of a deal. For those who want to keep it in a dark corner, it's a great deal for them.

The American people have spoken clearly. Last year, a CBS/New York Times poll found that 92 percent of the American people support requiring campaigns, independent groups, businesses to disclose how much money they've raised, where it came from, and how it was used.

I am going to offer my own amendment again, for the fourth time, to require the disclosure which Representative COLE's amendment forbids. I expect, once again, that the majority is going to block it. It's an unfortunate turnaround, I think, from just a few years ago when Republicans led the fight for disclosure. They were for it before they decided to be against it. Does that tag line ring some bells for you? You were thinking that it would be better than restricting contributions. That was the thinking at the time. But now that the Supreme Court allows unlimited corporate spending, they're against any restrictions whatsoever.

We should oppose any amendments that are designed to keep the public less informed rather than more informed about what happens with their tax dollars. That's what this is about. The majority has made a big deal and talked incessantly about spending. What about this spending? Does this not mean something in terms of the Federal Government and the taxpayers? I think with public dollars comes public responsibility.

This does not present any constitutional issues, no freedom of speech issues. It is not burdensome. It is simply disclosure. If you want to stand with the uber-lobbyists who are representing lobbyists in support of the gentleman from Oklahoma's amendment, be my guest. I didn't come to Congress to do that.

I think that the President's Executive order is sensible, I think it should be put into place, and I think that any legislation brought to this floor to prevent that from happening is really on the wrong side of history.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. COLE. I yield myself such time as I may consume.

I would just remind my friend from California that when Republicans brought disclosure, they didn't link it to the contracting process, which this potential Executive order does. I think that's out of bounds.

I would also remind my friend the Democrats opposed that and when Democrats were in the majority, and overwhelmingly in the majority, they failed to enact legislation similar to what she suggests in the DISCLOSE Act.

I think this is something that this legislative body has looked at. If my friend from California wants to introduce a bill to do this, that's perfectly appropriate to it, but doing it in the context of the contracting process is simply wrong. People that are submitting bids will somehow think inevitably that they will be helped or hurt by their political activity. That has no basis in judging the quality of a bid for a Federal contract.

In addition, frankly, my friends have never wanted to apply that same standard to labor unions or to affiliated groups applying for Federal dollars. I would actually agree with them on that. I don't think it has any place in a disclosure in those areas either. There's a place to do this, and there's a place not to do it. Doing it on a contract is inevitably meant to try and use the Federal dollars to impact, one way or another, what groups do politically. That's wrong, we shouldn't allow it, and we should never, never risk politicizing the procurement process.

With that, I reserve the balance of my time.

□ 1530

Ms. ESHOO. Mr. Chairman, I yield the balance of my time to the gentleman from New Jersey (Mr. ANDREWS).

The Acting CHAIR. The gentleman is recognized for 1 minute.

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. I thank my friend for yielding.

I would say to my friend from Oklahoma, through the Chair, that he makes a very compelling case. I agree with him. I think that the secret groups that are funding massive—usually negative—ad campaigns against people running for office should be held to exactly the same standard labor unions are held under present law. If a labor union uses dues money or PAC money or any money to advocate for or against a candidate or a cause, they must disclose it to the public and to their members. That is precisely the principle that Ms. ESHOO is standing for, and I am proud to stand with her.

If you really believe in something that you say, then you shouldn't be ashamed to let everyone know that you

said it. If you really believe that what you're advocating is right for the country, then you will let everyone know that you said it. It's a simple principle of disclosure. It is something that I think is long overdue. Let's not have anybody hide in the shadows of the American political process.

The Acting CHAIR. The time of the gentleman has expired.

Mr. COLE. Mr. Chairman, I would just urge the body to support the amendment.

I would disagree with my friend. Sham groups are quite often formed in labor unions or underneath, but that's another debate for another day. Let's just keep outside money out of the procurement process.

I yield back the balance of my time and urge adoption of my amendment.

Mr. VISCLOSKEY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKEY. I rise in strong opposition to the gentleman's amendment and join with my colleagues from California and New Jersey in their opposition.

The amendment is a legislative attempt to circumvent a draft Executive order which would provide for increased disclosure of the political contributions of government contractors, especially contributions given to third-party entities.

The argument is made that companies should not disclose more information because people in power would misuse that information to retaliate against them. Using that logic, all campaign disclosures are bad. Government contractors already disclose contributions and expenditures by their PACs and those who contribute to them. By extension, we ought to take that law and ensure that the voters of this country are protected so that they also know what those corporations are doing with their money as far as involvement in the electoral process.

The provisions, as drafted, are, I think, very good. The information is required to be provided, and the Executive order that the amendment would circumvent enhances the quality of information that people and citizens ought to have before they go to the polls. Disclosure is good. And for that reason I rise, again, in strong opposition to the gentleman's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. COLE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. VISCLOSKEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oklahoma will be postponed.

AMENDMENT OFFERED BY MS. ESHOO

Ms. ESHOO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available in this Act may be used to enter into a contract with a corporation or other business entity that does not disclose its political expenditures.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to the order of the House of today, the gentlewoman from California (Ms. ESHOO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. ESHOO. Mr. Chairman, I rise for the fourth time this year to call for transparency in our political system. I maintain the view shared by the overwhelming majority of the American people that transparency in the use of our tax dollars is absolutely critical.

There are thousands of companies that do business with the Federal Government, receiving billions of public dollars for their services and their products. Our constituents deserve to know whether they spend any of these dollars to influence our elections. My amendment will accomplish this, and I once again urge my colleagues to support it.

Now, some say, as we just heard a few moments ago, that this disclosure requirement will politicize the procurement process. It's difficult to maintain that view with a straight face. As I've said before, when a business contracts with the Federal Government and spends money in elections, the process is already politicized. Even in the Citizens United decision legalizing corporate expenditures, eight out of nine justices specifically endorsed prompt disclosure of expenditures. Justice Anthony Kennedy wrote, "Disclosure permits citizens and shareholders to react to the speech of corporate entities in a proper way." This is not an onerous burden. As Justice Louis Brandeis famously said, "Sunlight is the best disinfectant."

I want to share an example from my home State of California that illustrates the importance of disclosure. Last year, in 2010, Proposition 23 was on the ballot. It was an effort to kill the State's tough new global warming rules. The airwaves were flooded with ads, but because California requires disclosure, voters were informed. The oil companies financing the ads had to stand by them each and every time the ad aired, stating that they had paid for them. So voters were informed. They made up their minds. Prop 23 lost by 23 percent in November because voters knew who had paid for the ads and what and whom were behind them. It wasn't just someone skipping through a field, it was going to have an effect on them. It was disclosure.

As he has a half-dozen times this year, my colleague, TOM COLE, has offered an amendment to prevent the very disclosure I'm asking us to endorse. I urge my colleagues on both sides of the aisle to reject it. Preventing transparency puts us all on the wrong side of history every time.

Republicans supported disclosure before they were against it, and the record is very clear on that. So I urge those from both the other side of the aisle and my colleagues on this side—I don't believe this is a partisan issue—I believe that disclosure is good for America, it's good for our system. It is not burdensome, it is not anti-constitutional, and it's simple. The voters should know, taxpayers should know.

I yield back the balance of my time.

POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I insist on my point of order.

The Acting CHAIR. The gentleman will state his point of order.

Mr. FRELINGHUYSEN. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part, "An amendment to a general appropriation bill shall not be in order if changing existing law." The amendment requires a new determination.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

For the reasons stated by the Chair on February 17, June 2, and July 7, 2011, the amendment constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained. The amendment is not in order.

□ 1540

AMENDMENT NO. 66 OFFERED BY MR. GOSAR

Mr. GOSAR. I have an amendment at the desk, the Gosar-Altmiere-Gibbs amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act may be used to implement or enforce section 327.13(a) of title 36, Code of Federal Regulations.

The Acting CHAIR. Pursuant to the order of the House today, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chair, I rise in support of our amendment that would defund a Federal regulation, a regulation that has the force of law across the United States that is, in my view, unconstitutional and simply wrong.

Currently, as a result of law passed in the 111th Congress, a person licensed

by a State to carry a personal sidearm for personal defense can carry that weapon in a national park or refuge. Prior to 2009, our own Federal Government trampled the Second Amendment and prohibited citizens from protecting themselves in some of the most dangerous remote lands we have. The ability to carry a firearm in case of emergency is imperative. Later we learned that when Congress changed the law, the bill language omitted the Army Corps of Engineers, creating confusion and uncertainty.

The Corps owns or manages over 11.7 million acres, including 400 lakes and river projects, 90,000 camp sites, and 4,000 miles of trail. Soon after the law's passage, the Army Corps proudly declared that it would continue to ban self-defense on its lands. There is a bill pending, H.R. 1865, that seeks a long-term fix, but this amendment is a short-term fix. It defunds a Federal regulation by which the Army Corps of Engineers enforces, creates, and authorizes its ban on self-defense firearms.

This bipartisan amendment to the Energy and Water appropriations bill will clarify this confusing policy. We are simply asking that the Secretary of the Army not use any fiscal year 2012 funding to enforce a regulation that prohibits firearm possession that complies with State law on Corps projects and lands. The amendment would not, however, allow firearms in Federal facilities, such as Army Corps headquarters, Corps research facilities, or lock and dam buildings. This is a commonsense amendment that upholds our Constitution and gives people who use our public lands the right to defend themselves, if needed.

I reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chair, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. I would take a different tact on the issue of common sense and security. I would like to talk about the security of our Nation and about our economic infrastructure and about these Corps regions.

I understand that the intent of the gentleman's amendment is to prohibit the Corps from preventing individuals from having handguns on projects administered by the Corps. I understand it's aimed at those who obviously support the Second Amendment. I do, myself. The fact is, I believe the gentleman's amendment is injurious to our national security. I do not think it is a good idea to allow individuals to walk around with guns over dams and water treatment plants that are administered by the Army Corps of Engineers.

Now, I assume that some of my colleagues disagree with me. However, this amendment also prohibits the Corps from implementing or enforcing rules on explosives and fireworks and other weapons. I don't believe there are

other Members in this body who believe the Corps should not be able to stringently enforce rules on explosives at dams and water projects and treatment facilities that they have jurisdiction over. Further, what if there's danger of fire on the Corps land? Unless there is some other law that supersedes the regulations that your amendment is aimed at, Corps employees would not be able to prevent people from launching fireworks, despite the dangers of wildfires.

I strongly oppose the gentleman's amendment and would hope that he would consider withdrawing his overly broad and misguided amendments.

I reserve the balance of my time.

Mr. GOSAR. I yield 1½ minutes to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. Mr. Chairman, I rise in support of the Gosar-Gibbs-Altire amendment, to prohibit funding the Secretary of the Army to enforce a regulation that prohibits firearm possession in compliance with State law on Corps projects and lands.

Earlier this year, Representative ALTMIRE from Pennsylvania, Representative GOSAR from Arizona, and myself introduced H.R. 1865, a stand-alone bill that would prohibit the Secretary of the Army from enforcing any regulation that keeps an individual from possessing firearms on Army Corps of Engineer water or resource development projects.

Gun owners need to be able to exercise their Second Amendment rights when they are legally camping, hunting, and fishing on Army Corps property. Last Congress, this House passed national parks language that became law to allow for guns on national parks land; and the Army Corps of Engineers immediately issued the following release: "Public Law 111-024 does not apply to Corps projects or facilities. The passage of this new law does not affect application of title 36 regulations." This policy preempts State regulatory framework from transporting and carrying firearms, thus invalidating concealed weapon permits and other State laws that allow law-abiding citizens to transport and carry firearms.

This amendment is a bipartisan effort that would put a temporary fix to end the patchwork of regulations that govern different lands managed by different Federal agencies.

I urge all Members to support the Gosar-Gibbs-Altire amendment.

Mr. VISCLOSKY. I yield 2 minutes to the gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. I thank the gentleman from Indiana.

I rise in support of the Gosar-Gibbs-Altire amendment to protect the Second Amendment rights of our Nation's sportsmen.

The Army Corps of Engineers owns or manages more than 11 million acres of Federal lands, where Americans are not allowed to carry firearms for self-defense, including 90,000 camp sites and

thousands of miles of trails where law enforcement is scattered.

Our amendment will simplify regulations for law-abiding citizens by defunding a Federal regulation that bans firearms for self-defense on Army Corps lands. This will not change rules against bringing firearms into Federal buildings, such as Army Corps headquarters, or locks and dams. It will simply guarantee that sportsmen are able to defend themselves while they legally hunt and fish on property that the Army Corps owns and operates.

To correct this problem in the long term, Mr. GIBBS and I have also introduced the Recreational Lands Self-Defense Act. But this amendment is a necessary first step and is supported by the National Rifle Association and Gun Owners of America.

I urge my colleagues to vote "yes."

Mr. GOSAR. Mr. Chairman, the Second Amendment is a key component of national security. And in that aspect, it allows citizens to carry. This is about possession of sidearms only. It does not apply to explosives in or around structures.

I will finish up by saying that I wish everybody would support this amendment, and I look forward to its passage.

I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, in closing, I will reiterate my strong opposition to the gentleman's amendment.

We are talking about allowing people with weapons in areas where we have dams and water treatment plants, and the Army Corps of Engineers ought to be able to exercise control over those for the protection of those major economic infrastructures. I would respectfully disagree with the gentleman, that he would also reduce their ability as far as the regulation of people with explosives. And I think that, again, is very detrimental relative to our national security. For these reasons, I strongly oppose the gentleman's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

□ 1550

AMENDMENT OFFERED BY MR. COHEN

Mr. COHEN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ For "Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy" for the Solar Energy Program, as authorized by sections 602(b), 604(e), 605(d), 606(d), and 607(i)(5) of the Energy Independence and Security Act of 2007, there is hereby appropriated, and the amount otherwise provided by this Act for "Department of Energy—Energy Programs—Fossil Energy Research and Development" is hereby reduced by, \$16,000,000 and \$32,000,000, respectively.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Tennessee (Mr. COHEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. COHEN. Mr. Chairman, our Nation is at an energy crossroads. Either we can further increase our addiction to fossil fuels and use advanced technologies to suck out every last drop of oil, coal, and natural gas that exists underneath the Earth's surface, no matter what the economic or environmental cost, or we can decide to break our addiction to fossil fuels by investing in clean, renewable energy sources that have the capacity to power our Nation forever.

The majority's decision to cut funding for renewable energy programs and increase spending on fossil fuels makes it clear that they haven't quite gotten off their addiction to dirty energy, but this amendment offers them an opportunity to do so. Their decision is shortsighted, will endanger American prosperity, and threaten our economic viability.

To help rectify this situation, this amendment's offered to cut \$32 million from the Fossil Energy Research and Development account and increase the Solar Energy program by \$16 million, to give my friends on the other side an opportunity to let the Sun shine in and join with God's wonderful source of energy. My amendment has a net impact of zero on the budget authority and does not increase 2012 outlays.

Despite overwhelming evidence that the U.S. needs to invest more in solar and spend less on fossil fuels, the majority has decided to reduce funding for solar research and development by 37 percent. This severe cut is unacceptable and especially egregious since the majority has allocated an additional \$32 million to the Fossil Fuels account, a 7 percent increase.

This amendment that I have offered seeks to create some parity to 2011 funding by cutting the Fossil Fuels account back to its 2011 level and increasing the Solar account by 10 percent. Solar is the future and fossil fuels aren't.

If the majority wants to fulfill their commitment to create jobs and increase American energy security, then they need to start seriously investing in solar. Recent studies have demonstrated investments in solar can create three times as many jobs as funding for traditional fossil fuels. And if the government decided to invest \$1 million in solar development, that investment would create at least 17 jobs. But that same million dollars in fossil fuels would create but five jobs. And jobs is what the American public is interested in.

The 17 jobs created would be high-paying jobs in the manufacturing and construction sectors, the kind of jobs that once were the backbone of our Nation and the jobs that the American

people are clamoring for, giving the middle class an opportunity to have jobs and participate in the American economy.

I have witnessed the power of solar in my own community to create jobs, spur economic development, and transform the lives of everyday Americans. As a result of previous Federal solar investments, Sharp Solar, which is located in my district, is a burgeoning solar industry and operates a manufacturing facility that employs nearly 500 Memphians. Additional Federal investments in solar will create thousands of new jobs in my district and millions of new jobs across the country, some of which will be in New Jersey.

Not only is solar a superior job creator, but it's also a far better long-term investment. Fossil fuel proponents may not publicly admit it, but renewable energy will power the future. So establishing dominance in this sector is critical to our national energy security and economic security. Supplies of fossil fuels are diminishing rapidly, and their nonrenewable nature makes them a short-term solution to a long-term problem.

Recognizing the critical role renewable energy technologies like solar will have, nations across the world are making massive investments in clean technology so they can establish themselves as leaders and exporters of the future's energy. I recently visited Germany, and solar is everywhere. The Germans are investing and supplying many of their buildings with solar, and they are a leader, just as China is. But America's being left behind.

As is demonstrated by this appropriations bill, the U.S. is not making the requisite investments in solar to compete in the emerging global marketplace. Unless the majority decides to change course and support the efforts that we've made here to make unprecedented investments in renewables, the United States will transition from importing oil from the Middle East to importing clean energy technologies from China and Europe, not what we should be aiming for.

My \$16 million amendment alone will not determine the course of America's energy future, because we need to be investing billions in solar energy to keep up with the Chinese, the Germans, and other countries, but this zero cost amendment will create jobs and push America a little further down the road to a clean energy economy. The amendment offers a clear signal to the American people and the world the United States is serious about ending its addiction to fossil fuels and becoming a world leader in the renewable energy sector.

We shouldn't just orbit around the Sun; we should harness its energy and use it to supply energy for this planet. The Sun is there for a purpose other than just an anchor.

I urge support for this important amendment.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. His amendment would increase funding for the Office of Energy Efficiency and Renewable Energy's Solar Energy program at the expense of fossil energy research. Our bill applied solar energy research to \$97 million below fiscal year 2011 because, especially within today's budgetary constraints, we cannot afford to spend taxpayers' dollars on activities like demonstrations of proven technologies that should be funded by the private sector. But our bill preserves funding for the cutting-edge research that will advance American industry and help us lead globally. By the numbers, I can't support an amendment that adds funding back into this program.

Fossil energy generates 70 percent of our Nation's electricity and, may I add, generates, I believe, close to 55 percent of your State's energy. And it will continue to provide the lion's share of your and our Nation's energy's needs well into the 21st century.

The Fossil Energy Research program receives \$477 million in our bill for research that's let us squeeze more energy out of our domestic fossil energy resources. This research aims to increase the efficiency of our fossil energy plants across the Nation. If we were to increase the efficiency of our fossil energy plants by just 1 percent, we would increase the output of our power plants by 12 times the total output of solar power in the United States. That's without using 1 pound or 1 liter of extra fuel from the ground.

I appreciate, truly, the gentleman's desire to move towards solar technologies, coming from a State that is a leader in that regard, and that's why we have included \$166 million in our bill for that purpose. The Energy Efficiency and Renewable account has nearly \$9 billion in unspent stimulus money. We've heard that before in earlier debates. And the importance of using fossil energy sources well is too great; so I can't support cutting into further fossil energy research and development. Therefore, I oppose the amendment and urge my colleagues to do likewise.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. COHEN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. COHEN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Tennessee will be postponed.

□ 1600

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. __. None of the funds made available under this Act may be expended to administer or enforce the requirements of subchapter IV of chapter 31 or title 40, United States Code (commonly referred to as the Davis-Bacon Act), except with respect to a contract that exceeds \$20,000,000.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise in support of my amendment to H.R. 2354 that seeks to defund title 40, U.S.C. section 31, up to \$20 million instead of the current \$2,000 threshold.

Right now we are in serious and prolonged economic recession. The construction industry has been hit the hardest throughout the United States. My amendment defunds the Davis-Bacon Act up to a certain amount in order to allow small business and small contractors the ability to compete on the smaller government contracts.

This amendment will assist the small businesses that do not have the resources to compete for the larger contracts that compel compliance with all the requirements of Davis-Bacon. That is why this amendment defunds contract applications for smaller contracts under the \$20 million threshold, but the larger projects are still subject to the Davis-Bacon Act. This is a temporary measure for the duration of the fiscal year in direct response to the recession.

Now, on average, research establishes that Federal public projects that are forced to operate under this law spend 22 percent more than projects not bound by this law. By eliminating the onerous cost for small projects, there will actually be more work, up to 22 percent more work, for the same dollar and the smaller contractors will be able to compete for jobs that otherwise are out of their reach.

Yet this agreement preserves the application of the act to the larger projects, so that those big projects across the U.S., where larger contracts typically get the contracts in any event, these companies can more readily comply with the provisions of the act and have deeper pockets to handle the administrative and other requirements mandated by the act.

We also know that one study concluded that the Davis-Bacon Act will waste \$10.9 billion in 2011. We also know that the Government Accountability Office states that this act is extremely difficult to administer, and the GAO has advocated for its repeal as

far back as 1979. To a certain degree, this amendment seeks to reduce that waste, but the most important aspect of this amendment is encouraging small business participation in these government building contracts.

I have stated before that we, as Members of Congress, we are stewards of the public Treasury. We have an obligation to spend taxpayer money wisely. The government does not earn money. The government does not generate wealth. We have an obligation to spend this money wisely, and we have an obligation to help the businesses of the country, and those that build our infrastructure need our help. This amendment addresses that need.

The Heritage Foundation suggests that for every billion dollars, Federal construction spending supports 14,000 workers. Then the savings from the suspension of the Davis-Bacon law for 1 year would support 163,000 new construction jobs.

My amendment addresses this very issue and seeks to boost employment and work for small businesses and small contractors who can compete for smaller government contracts temporarily if the Davis-Bacon requirements are defunded for 1 year.

I ask that you support this amendment, support small businesses, more efficient spending of our taxpayer money, spreading our limited resources and keeping more American construction workers in a job, a livelihood, and a mission to rebuild this America together.

I reserve the balance of my time.

Mr. VISCLOSKEY. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKEY. Mr. Chairman, Davis-Bacon is a fairly simple concept, and it is a very fair one.

What it does is to protect the government and the taxpayers, as well as the workers, in carrying out the policy of paying a decent wage on government contracts.

The Davis-Bacon Act requires that workers on federally funded construction projects be paid no less than the wages paid in the community for similar work. The fact is that opponents claim Davis-Bacon requires union wage jobs. However, more than 75 percent of Davis-Bacon wage determinations are not based solely on union wages.

The quality of work on energy and water projects, for example, is crucial to the communities depending on them, and we do need individuals who are trained, who are more efficient, and who are going to do the job right the first time. One of the things that tends not to be noted when we have a discussion and debate about Davis-Bacon is the money it saves to the taxpayers that are hidden costs by those who do not use union labor and do not pay union scale wages.

By including fringe benefits in wage calculations, the Davis-Bacon act de-

livers health care and pensions for workers on Federal projects, ensuring that they aren't part of the many uninsured Americans who rely on Medicaid and cost the American taxpayers. The Department of Labor survey methods also incorporate hourly investments in training and apprenticeship, where appropriate, to ensure the skilled, productive, future workforce.

I would also point out that in the past the House has taken two votes on this issue, the first vote taken included a limitation on Davis-Bacon and was considered in H.R. 1, and it failed by a vote of 189-233. The second vote was a limitation taken during consideration of the FAA bill, and it failed 183-238.

But, most importantly, and the gentleman indicated that he is spurred on to action here because of the recession, is because of the money involved relative to those who work in the United States of America. Since 1977, we have fortunately had great growth in this general economy.

But I would point out to all of the Members that according to the Department of Labor in 1977, the real hourly wage that a human being in the United States of America earned for 1 hour's worth of labor was \$19.57. In 2010 the Department of Labor reported that a human being in the United States of America for their human labor for 1 hour now earns \$19.04.

People today, for an hour's worth of work, make less than they did in 1977, despite the growth of our economy. The last thing we need to do here today is to put more downward pressure on the ability of an American citizen to work at a good-paying job that guarantees them a decent living, and I strongly oppose the gentleman's amendment.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise in support of the gentleman's amendment.

The recommendation I brought to the full committee prohibited Davis-Bacon provisions on any sort of construction, roads, bridges, dams, and buildings, because the taxpayers, as a result, pay more.

Unfortunately, this provision was stricken, impacting right to work States and, quite honestly, short-changing them.

You do the math. There have been plenty of studies. Davis-Bacon provisions inflate costs for construction projects as much as, in some cases, 22 percent. These added expenses come at a time when we are really close to being broke as a nation. How many more jobs, union or nonunion jobs, could we provide to put America back to work by supporting this amendment? Plenty more, and thus I am pleased to support the amendment.

I urge my colleagues to do likewise.

I yield back the balance of my time.

□ 1610

Mr. GOSAR. Mr. Chairman, at a national unemployment rate of 9.3 percent, this is a jobs amendment. Davis-Bacon does not protect the Federal Government nor the taxpayer. It only increases the cost to the taxpayer and the Federal Government by 22 percent. There are no studies that show that there is any difference in outcomes. As a contractor and working in contracts, we're held to the same standards. This is a temporary measure meant to help all our small companies and business contractors. It's also an investment into increasing the number of build-outs of our vital infrastructure projects.

I urge my companions on the other side of the aisle to join in this and look at this fairly and increase the access to this funding, properly and fairly, to make sure that we get more people to work and get this vital infrastructure back and get America back to work.

I yield back the balance of my time.

Mr. VISCLOSKEY. Mr. Chairman, I appreciate the recognition. I would close by indicating that there has been discussion about the burden that this act imposes upon small businesses. And I would, again, wish to contradict that.

I also believe that the administrative requirements of the act are critical to prevent a fraud against government agencies. First, to comply with the IRS and overtime regulations, all law-abiding contractors must retain records on hours worked, wages, and benefits. Second, electronic transmission of data has streamlined reporting. Third, the integrity of the whole program relies on this reporting to avoid kickbacks, misclassification of workers, and cheating under the Davis-Bacon Act. It is important to remember that Federal overtime law, including the Fair Labor Standards Act, requires all employers—not just those that must comply with Davis-Bacon—to keep records.

So, again, I would ask that my colleagues oppose the gentleman's amendment.

I yield back the balance of my time.

The Acting CHAIR (Mr. WESTMORELAND). The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. VISCLOSKEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT OFFERED BY MS. JACKSON LEE OF TEXAS

Ms. JACKSON LEE of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act for "Department of Energy—Energy Programs—Science" may be used in contravention of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.).

The Acting CHAIR. Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. I want to thank the chairman of the subcommittee and ranking member for the courtesies extended to me.

Mr. Chairman, my amendment will protect funds provided for science under title 3 of the Department of Energy's energy programs. This amendment addresses the need to increase programs that educate minorities in science, technology, engineering, and mathematics, known as STEM, as well as the need to train teachers and scientists in advanced scientific and technical practices.

Let me, first of all, say I consider this a jobs bill. I'm excited when we talk about jobs here on the floor of the House and recognize that America has changed. As a former member of the Committee on Science, Space, and Technology and a member of the Aviation subcommittee and Space subcommittee dealing with NASA's commitment and mission in human exploration, I believe that America's future is not only today but in front of her and focused on science and technology. The importance of developing a highly skilled technical workforce is crucial.

Over the last 50 years there have been major changes in the United States in terms of both the economy and the population. Now let me be very clear. I'm a member of the Manufacturing Caucus, and I believe that we should restore manufacturing in this country. We are so well placed to be multitasked, boosting our manufacturing and then, as well, moving forward to processing and analyzing information. In this information-driven economy, it is important that we recognize that our valuable assets are human resources. Therefore, in order to compete successfully in the global economy, the U.S. needs citizens who are literate in terms of science and mathematics, and a STEM workforce that is well educated and well trained.

I believe my amendment focuses on that very program and focus. By investing in the scientific advancement of our workforce and our youth, we are investing in our future, we're investing in job creation, and we're investing in greater job opportunities for Americans. It is important to note that under this legislation, workforce development for teachers in science has taken a hit. But I believe what we should do is make sure that we emphasize that those resources be kept in and at some point add to those resources. And the reason I say that is, workforce development programs for teachers and sci-

entists provide funding to graduate fellowship programs that help train the Nation's top scientists, a crucial, crucial effort.

The United States faces a critical shortage of highly qualified mathematics and science teachers. We will need an additional 283,000 teachers in secondary schools setting up by 2015 to meet the needs of our Nation's students. This qualified teacher shortage is particularly pronounced in low-income districts. So in order to move forward, let us protect the scientific aspect of the work of this government.

According to the National Center for Education Statistics, about 30 percent of fourth-graders and 20 percent of eighth-graders cannot perform basic mathematical computation. So I have long recognized the need to improve the participation performance of America's students in science, technology, engineering, and math. I worked with one of our corporate leaders to ensure that private funding was given to one of our inner city school districts to establish a program without comparison in its excellence focusing on science, technology, engineering, and math.

Mr. FRELINGHUYSEN. Will the gentlewoman yield?

Ms. JACKSON LEE of Texas. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. We would be happy to accept your amendment as it restates current law, and we appreciate your advocacy in this regard.

Ms. JACKSON LEE of Texas. I thank the gentleman very much. And as I conclude with that generous offer, let me mention in 2006 only 4.5 percent of college graduates in the United States received a diploma in engineering compared to 25 percent in South Korea and 33 percent in China.

So let me close, Mr. Chairman, by saying that we have had programs that have been very effective, such as the Harmony Science Academy in Houston, that devotes an impressive amount of time and resources educating the city's youth, minority youth in math and science and even doing research in cancer.

Finally, I want to thank Dr. Reagan Flowers, who has implemented a dynamic program on STEM technology in the Houston area and a national program. I would like to congratulate Mae Jemison, one of our astronauts, the first African American woman to go into space, who likewise has an outstanding program, and the Ron McNair Program, one of our astronauts who lost his life sacrificing for the American people, challenging us and challenging our capacity. His program run by his family is another excellent program.

In conclusion, from Ben Franklin to NASA to Silicon Valley, the success of the competitiveness of America has always depended on the knowledge and skills in the STEM field. This amendment will help us focus on expanding that for all Americans.

I thank the gentleman for his generosity.

Mr. Chair, I rise today to offer an amendment to H.R. 2354, the Energy and Water Appropriations Development Bill. My amendment will protect funds provided for science under Title III of the Department of Energy's Energy Programs. This amendment addresses the need to increase programs that educate minorities in science, technology, engineering and mathematics, STEM, as well as the need to train teachers and scientists in advanced scientific and technical practices.

As a former Member of the Committee on Science, Space, and Technology, I recognize the importance of developing a highly skilled technical workforce. Over the last 50 years, there have been major changes in the United States in terms of both the economy and the population. The economic base has built upon the base of manufacturing of durable goods and added the processing and analyzing of information. In the 21st century we can manufacture goods and expand information technology—both create jobs. In this information-driven economy, the most valuable assets are human resources. Therefore, in order to compete successfully in the global economy, the U.S. needs citizens who are literate in terms of science and mathematics, and a STEM workforce that is well educated and well trained (Friedman 2005, National Academy of Sciences 2005, Pearson 2005). Consequently, we cannot—literally or figuratively—afford to squander its human resources; it is imperative that we develop and nurture the talent of all its citizens.

The jobs of tomorrow will require workers who possess strong advanced science, engineering and math backgrounds. Other countries are training and educating their citizens in these areas and we must do the same. By investing in the scientific advancement of our workforce and our youth, we are investing in our future . . . we are investing in job creation . . . we are investing in greater job opportunities for Americans. This investment is the only way to address the increasing knowledge gap between our Nation's workforce and those of our international counterparts. We must invest in our citizens. My amendment will ensure the funds that have been made available will be utilized for that purpose.

PROGRAM 1: WORKFORCE AND DEVELOPMENT
PROGRAMS FOR TEACHERS AND SCIENTISTS

The workforce and development program for teachers and scientists is vital to ensure that we have an adequate amount of properly educated and trained teachers and scientists. Under H.R. 2354, workforce development for teachers and scientists is funded at \$17,849,000, which is \$4,751,000 below the fiscal year 2011 level, which is a devastating \$17,751,000 below the President's requested amount. This is a draconian cut which will have drastic effects on an already struggling workforce. My amendment would ensure that the amount provided to this program would remain intact.

The workforce development program for teachers and scientists provides funding to graduate fellowship programs which train and develop our Nation's top scientists, engineers, and teachers. These individuals go on to become researchers and innovators—contributing to American business and, moreover, the U.S. economy. Fellowship programs like these are exactly what our country needs in order to develop a highly skilled technical workforce.

As we have heard time and time again in many different contexts, our country suffers

from a shortage of scientists and engineers. Moreover, our country is dealing with a lack of qualified instructors, at all levels—elementary, secondary, and post-secondary—to teach STEM subjects—science, technology, engineering, and mathematics.

The United States faces a critical shortage of highly qualified mathematics and science teachers, we will need an additional 283,000 teachers in secondary school settings by 2015 to meet the needs of our Nation's students. This qualified teacher shortage is particularly pronounced in low-income, urban school districts. As BHEF reported in *A Commitment to America's Future: Responding to the Crisis in Mathematics and Science Education*, high teacher turnover in conjunction with increasing student enrollment and lower student-to-teacher ratios will cause annual increases in the mathematics and science teacher shortage culminating in a 283,000-person shortage by 2015.

Fewer American students than ever are graduating from college with math and science degrees. In 2006 only 4.5 percent of college graduates in the United States received a diploma in engineering compared with 25.4 percent in South Korea, 33.3 percent in China, and 39.1 percent in Singapore.

The problem is systemic. According to the National Center for Education Statistics, about 30 percent of fourth-graders and 20 percent of eighth graders cannot perform basic mathematical computations. Today, American students rank 21st out of 30 in science literacy among students from developed countries and 25th out of 30 in math literacy. If this trend continues, there will be dire consequences for our children and our economy.

To be sure, in order to train and develop the amount of scientists, educators, and teachers of STEM subjects that our country needs, we would really need more of these graduate fellowship programs. As reflected in the budgetary request, which H.R. 2354 fails to meet, an increased number of graduate fellowships would be ideal to invest in our future.

At the very least, we would want to keep the same amount of graduate fellowships available. Unfortunately, the proposed amount appropriated to these programs under H.R. 2354 ignores the current shortage of scientists and teachers, and irresponsibly ignores our future by providing for lesser amount of graduate fellowships.

PROGRAM 2: SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS (STEM)

I have long recognized the need to improve the participation and performance of America's students in Science, Technology, and Engineering and Math, STEM, fields.

Traditionally, our Nation recruited its STEM workforce from a relatively homogenous talent pool consisting largely of non-Hispanic White males. However, this pool has decreased significantly due not only to comprising an increasingly smaller proportion of the total US Population but also to declining interest among this group in pursuing careers in STEM. It is important to note that the need to improve the participation of underrepresented groups—especially underrepresented racial/ethnic groups—in STEM is not solely driven by demographics and supply-side considerations; an even more important driver is that STEM workers from a variety of backgrounds improve and enhance the quality of science insofar as they are likely to bring a variety of

new perspectives to bear on the STEM enterprise in terms of both research and application (Best 2004; Jackson 2003; Leggon and Malcom 1994).

The current state of STEM education is deplorable. In 2006 only 4.5 percent of college graduates in the United States received a diploma in engineering, compared with 25.4 percent in South Korea, 33.3 percent in China, and 39.1 percent in Singapore. Today, American students rank 21st out of 30 in science literacy among students from developed countries and 25th out of 30 in math literacy. If this trend continues, there will be dire consequence for our children and our economy.

These numbers are discouraging, but the statistics on minority students in the STEM fields are even more alarming. In 2004, African American and Hispanic students were among the least likely groups to take advanced math and science courses in high school. Even as African Americans, Hispanics, and Native Americans comprise an increasingly large portion of the population, they continue to be underrepresented in the science and engineering disciplines. Together, these three groups account for over 25 percent of the population, but only earn 16.2 percent of bachelor's degrees, 10.7 percent of master's degrees, and 5.4 percent of doctorate degrees in the science, math and engineering fields. This fact directly contributes to the unacceptable underrepresentation of African American and Hispanics in the STEM workforce. If we choose to continue to ignore this problem, we are not only shortchanging our students' success, we will be giving up on our Nation's future.

Many school districts across the nation have begun to recognize this problem and work towards a strategic solution. In my home district for example, several public schools and charter schools have started to allocate funds towards programs aimed at increasing STEM performance.

For example the Harmony Science Academy in Houston devotes an impressive amount of time and resources towards educating the city's youth in the sciences. Small class sizes, high expectations for students, and well-qualified teachers helped this school make it to Newsweek magazine's list of best high schools in America. Harmony Science Academy is a success story we can all be proud of. Unfortunately, schools like this are the exception and not the rule.

In many school districts there simply are not enough resources available to make our children science and math literate. There is a shortage of qualified teachers, many classes are woefully overcrowded and some schools just cannot afford the materials and books that students need in order to master basic math and science concepts. I cannot stand idly by while we fail to give our children the educational tools they need to succeed in life and gain employment.

This amendment recognizes the importance of equipping young minds with the technological and scientific knowledge necessary to compete in a globalized economy. Further, within the context of globalization, I strongly believe that this country's ability to achieve and maintain a high standard of living is dependent on the extent to which it can harness science and technology. Thus, in order to enhance the international competitiveness of the country, it is critical for us to promote and support students pursuing careers in STEM fields.

Mr. Chairman, it is essential that we invest in a workforce ready for global competition by creating a new generation of innovators and make a sustained commitment to Federal research and development. We need to spur and expand affordable access to broadband, achieve energy independence, and provide small business with tools to encourage entrepreneurial innovation.

The establishment and maintenance of a capable scientific and technological workforce remains an important facet of U.S. efforts to maintain economic competitiveness. Pre-college instruction in mathematics and scientific fields is crucial to the development of U.S. scientific and technological personnel, as well as our overall scientific literacy as a nation. The value of education in scientific and mathematics is not limited to those students pursuing a degree in one of these fields, and even students pursuing nonscientific and non-mathematical fields are likely to require basic knowledge in these subjects.

Mr. Chairman, the United States has a great history of scientific innovation. From Ben Franklin to NASA to Silicon Valley, the success and competitiveness of America has always depended the knowledge and skills in the STEM fields. Funding my amendment today will help ensure that the American legacies of intelligence, innovation, and invention continue. Today I urge my colleagues to support this amendment and invest in America's future.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HASTINGS OF WASHINGTON

Mr. HASTINGS of Washington. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. _____. None of the funds made available in this Act may be used to implement or enforce the recommendations or guidance proposed by the Army Corps of Engineers in the final draft of the McNary Shoreline Management Plan, Lake Wallula, Washington.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Washington (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself such time as I may consume.

For years, the Walla Walla District of the Army Corps of Engineers has managed several miles of the public shoreline along the Columbia and Snake Rivers in the Tri-Cities area of my congressional district.

Five years ago, in 2006, the Corps sought to update its McNary Shoreline Management Plan, which had last been revised in the early 1980s. The existing management plan includes a permit program for private property owners that seek to build or use docks along the river shoreline.

The 2006 revision was so controversial that the Corps was forced back to the drawing board. It proposed a variety of restrictive measures, including a moratorium on the building of docks by private property owners along the shoreline and requiring existing dock owners to tear out their docks at great personal expense in order to keep their permits.

□ 1620

The Corps got an earful at a public meeting on the proposal and this year came back with a similarly controversial proposal, which included new questionable mandates from the National Marine Fisheries Service—including specific requirements for the length, width, color, and transparency of each dock, all of which NMFS claims would help save salmon.

Mr. Chairman, with all existing local docks as is right now, salmon runs are at near record levels along the Columbia River, and the Corps itself acknowledges that juvenile salmon in the McNary area average 20 to 30 million. Mr. Chairman, docks aren't killing salmon.

Regrettably, the Corps did little to justify their plan's sketchy science at another recent public meeting at which over 200 people attended to voice their opposition.

This amendment will ensure that the Army Corps will not charge ahead with a shoreline management plan until it answers questions about the questionable NMFS mandate and addresses concerns raised by a substantial number of citizens. Without this amendment, the Corps' unwise shoreline plan would be implemented and force questionable regulations on local residents and recreational activities.

Mr. Chairman, I am not suggesting that the Corps should not be allowed to implement a revised shoreline plan, but it should not do so based on shaky science and without ensuring that the local public's concerns are adequately addressed.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. HASTINGS of Washington. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. We have no objection to your amendment. We are pleased to support it. Certainly anyone who lives near the Columbia and Snake Rivers knows this is a beautiful part of the country. We are aware of this issue and commend you for addressing it forthrightly.

Mr. HASTINGS of Washington. I appreciate the chairman's concurrence on this. If that is the same on both sides, I will be more than happy to yield back.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. HASTINGS).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. KAPTUR

Ms. KAPTUR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ . The amounts otherwise provided by this Act are revised by reducing the amount made available for "Department of Energy—Energy Programs—Departmental Administration", and by increasing the amount made available for "Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy" (except for Program Direction), by \$10,000,000.

The Acting CHAIR. Pursuant to the order of the House of today, the gentlewoman from Ohio (Ms. KAPTUR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I offer this amendment to help promote a dynamic energy market in America through continued development of our budding solar industry. My amendment conservatively would transfer \$10 million from administrative costs within the Department of Energy and shift those to solar energy research and development within the Energy Efficiency and Renewable Energy account.

Certainly I understand the difficulty in drafting this bill, given the large allocation cuts for the Energy and Water Subcommittee, and I appreciate the chairman's work and the ranking member's work in helping America meet the energy and water challenges of our Nation, which are huge. Yet this bill cuts research in solar energy by more than one-third from last year and over 60 percent from the President's request, providing \$166 million—\$97 million below fiscal year 2011 and \$291 million below the request.

The \$10 million transfer I propose from administration to implementation represents less than 5 percent of the funds in the administrative budget of the Department of Energy. I want to make clear that this amendment does not target other programs that are critical to our Nation's energy needs. Rather than cut fossil fuels and nuclear power, this amendment asks the Department of Energy to tighten its administrative belt a little bit more to prioritize the administration's core mission, the promotion of a viable energy future for America, and to do it in a sector that is growing jobs in our country despite what we face in terms of international global competition.

While this amendment proposes a modest 5 percent cut from the Department's administrative accounts, these dollars will go far in supporting additional energy options for American consumers and companies.

Solar energy production has nearly tripled in the last 5 years. In 2006, we generated 508,000 megawatt hours. Today, we produce 1.4 million megawatt hours annually. And I can't wait until it is 100 million.

Ernst & Young predicts the cost of solar will decrease by as much as half next year. And while the U.S. economy is anticipated to increase jobs by just 2 percent over the next year, in the solar industry that number is 26 percent, according to Cornell University. As costs go down and production capacity grows, solar energy becomes a viable alternative to imported energy sources. And this is exactly what our country needs right now: a vibrant energy market that gives Americans choices and encourages economic growth here at home.

Now, some would argue that with numbers like these, solar energy doesn't need anything, any additional funding, but I disagree. It is precisely because of our investment in this fledgling, cutting-edge industry that is high tech that such successes are possible. We cannot allow America to be complacent. Right now we are in competition to be the energy leader of the future in this sector. For years, we were the leader in developing new technology, but we have been falling behind. And guess who has been right at our heels the whole time: China. China knows that our technology will power the future, and they are setting themselves up to be the new global leaders in solar. I can verify that.

As we sat back and patted ourselves here, China exponentially increased their funding for solar and other clean energy technology. In addition, they are providing 15-year tax holidays for firms that locate production there. So as we develop this very fledgling industry here, they are more than willing to outsource it there. So we must redouble our efforts and continue our investment in research and bring this market to scale in America.

Right now, we are powering homes and some bases with solar. We should be powering neighborhoods and entire communities. That's what it means to have the real thriving, new energy market that Americans are demanding, and the jobs that go with them.

This amendment will create increased efficiency within the Department of Energy and promote American industry and energy independence. I ask my colleagues to think about it and help me by supporting this amendment which merely takes less than 5 percent of the administrative budget of the Department of Energy, \$10 million—we are not talking about billions here—and shifts it to the Solar Energy account. I ask my colleagues to join me in supporting the Kaptur amendment for solar.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the gentlewoman's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. The gentlewoman's amendment would reduce funding in the departmental accounts. Because of quite a few amendments we

have already passed on the floor, your reduction would not be a 5 percent reduction; it probably would be a 10 percent reduction.

I know generally there is not a lot of sympathy for administrative responsibilities in the Department of Energy, but this would leave Secretary Steve Chu with not perhaps enough people in his operation to oversee a lot of issues that he has before him, including solar energy.

May I say for the record, the Solar Energy account in the Department of Energy budget is \$166 million. It is less than perhaps what it should be, but if you take it from the Department administrative account, we will have, I think, cause for more managerial problems to deal with. We also, may I say, have in the Energy Efficiency and Renewable program, as I have mentioned on a number of occasions, \$9 billion of unspent stimulus funds. So there is plenty of money in here, and I don't think that the Department salaries and wages ought to suffer and be reduced at a time when they need the additional leadership over there. I somewhat reluctantly oppose your amendment and urge my colleagues to do so as well.

I yield back the balance of my time.

□ 1630

Ms. KAPTUR. May I inquire as to my remaining time?

The Acting CHAIR. The gentlewoman from Ohio has 30 seconds remaining.

Ms. KAPTUR. I want to thank the chairman of the subcommittee very much, Mr. FRELINGHUYSEN, as well as the ranking member, Mr. VISCLOSKY, for allowing me this time.

I am going to ask for a vote on this amendment, but I am hoping that as this moves towards the Senate and final consideration that, as to some of those who just happened to get to the microphone earlier, we might find a way to move some of those dollars around to support an industry that truly is a cutting-edge industry for our country, which deserves the kind of support that this Congress should give to new technology to try to create good jobs in this country and help us wean ourselves off our chief strategic vulnerability—imported energy.

I ask my colleagues to support the Kaptur amendment on solar.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. KAPTUR. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Ohio will be postponed.

AMENDMENT OFFERED BY MR. HASTINGS OF WASHINGTON

Mr. HASTINGS of Washington. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following:
SEC. 609. None of the funds made available by this Act may be used by the Department of Energy to move the Office of Environmental Management under the authority of the Under Secretary for Nuclear Security of the Department of Energy.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Washington (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Chairman, last Friday, the Department of Energy made a surprise announcement that not only was the Assistant Secretary for Environmental Management—or EM—leaving but that they were restructuring the entire \$6 billion program under the Under Secretary of Nuclear Security, who also serves as the head of the NNSA.

EM is responsible for cleaning up the nuclear waste created during our Nation's defense program that helped end World War II and the Cold War. The Federal Government has signed legal agreements with the States to clean up this waste. The major restructuring was simply declared by DOE with absolutely zero consultation with Congress, the States, the communities or the stakeholders.

I haven't been given sufficient answer to the simple question: How does EM benefit from this change?

We have no idea how this decision was reached or why restructuring was considered. Given what little has been made public, I believe there are some real risks, including the potential for cleanup to become less of a priority under as structure that has always been focused—and rightfully so—on nuclear security.

In the late 1980s, DOE moved the cleanup program out of the weapons program in order to provide more definition, transparency and to focus on cleanup. Now DOE wants to put them back together.

I ask again: What is the benefit to EM?

In DOE's own words from this past Friday: "The Office of Environmental Management has made unparalleled progress in cleaning up our Nation's Cold War nuclear legacy at sites across the country." Yet, out of nowhere, they decide to throw the program into a state of flux.

Without sufficient answers, I can't stand idly by while the department makes a seemingly snap decision that will impact something as important and as complex as nuclear waste cleanup. So my amendment would prohibit the use of funds to move the Office of Environmental Management under the Under Secretary of Nuclear Security.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. HASTINGS of Washington. I yield to the distinguished chairman, the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I would be happy to support your amendment. Of course, I will reserve judgment as to what Secretary Chu's plans are as they're somewhat on the drawing board; but we would agree with you that he needs to come to the Appropriations Committee and explain fully how he is going to have a better program for environmental management. It's too important to the Nation, not only to your State, but to other clean-up operations and sites around the Nation.

Mr. HASTINGS of Washington. I thank the gentleman for his support.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. HASTINGS of Washington. I would be happy to yield to the gentleman from Indiana.

Mr. VISCLOSKY. I would make the point that this past Friday, the Department of Energy said that the Office of Environmental Management has made unparalleled progress in cleaning up our Nation's Cold War nuclear legacy at sites across the country, and then they announced restructuring. This subcommittee held a hearing on the issue of cleanup in April of 2006. We find ourselves here in 2011 still talking about it, let alone the cost.

I appreciate the gentleman's concern. My point would be I have some ambivalence, as I'd mentioned to the gentleman earlier, simply because I had a conversation with the Secretary relative to the change. My observation to the Secretary is I appreciate he knows he has a problem, and I also appreciate he has done something about the problem.

I certainly appreciate the attentiveness of the gentleman, of your involvement and your good work on this, and I certainly do not object to what you're trying to accomplish here, because I do think, the stronger the message, the more diligent the department will be on this matter. I thank the gentleman for raising the issue.

Mr. HASTINGS of Washington. In reclaiming my time, Mr. Chairman, I will simply say that this may be a good idea; but for goodness sakes, what is the benefit to a \$6 billion program that only 6 days ago was announced is moving under another structure? There may be a good reason, but tell us what that reason is. So this amendment, hopefully, will elicit that answer, and we can move forward.

With support on both sides, Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. HASTINGS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ENGEL

Mr. ENGEL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used by the Department of Energy or any other Federal agency to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from New York (Mr. ENGEL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. ENGEL. Mr. Chairman, on May 24, President Obama issued a memorandum on Federal fleet performance, which requires all new light-duty vehicles in the Federal fleet to be alternate fuel vehicles, such as hybrid, electric, natural gas or biofuel, by December 31, 2015.

My amendment simply echoes the Presidential memorandum by prohibiting funds in the Energy and Water appropriations bill from being used to lease or purchase new light-duty vehicles except in accord with the President's memorandum. I have introduced similar amendments to the Department of Defense, Homeland Security, and the Agriculture appropriations bills. All three were accepted by the majority and passed by voice vote.

Our transportation sector is by far the biggest reason we send \$600 billion per year to hostile nations to pay for oil at ever-increasing costs, but America doesn't need to be dependent on foreign sources of oil for transportation fuel. Alternative technologies exist today that when implemented broadly will allow any alternative fuel to be used in America's automotive fleet.

The Federal Government operates the largest fleet of light-duty vehicles in America. According to GSA, there are over 660,000 vehicles in the Federal fleet, with just over 15,000 being used by the Department of Energy. By supporting a diverse array of vehicle technologies in our Federal fleet, we will encourage the development of domestic energy resources, including biomass, natural gas, coal, agricultural waste, hydrogen, and renewable electricity. Expanding the role these energy sources play in or transportation economy will help break the leverage over Americans held by foreign government-controlled oil companies; it will increase our Nation's domestic security, and protect consumers from price spikes and shortages in the world's oil markets.

I just want to say very briefly on a similar note, I have worked with my colleagues JOHN SHIMKUS, ROSCOE BARTLETT and STEVE ISRAEL to introduce the bipartisan Open Fuel Standard Act, which is H.R. 1687. Our bill would require 50 percent of all new automobiles in 2014, 80 percent in 2016, and 95 percent in 2017 to be warranted to operate on non-petroleum fuels in addition to, or instead of, petroleum-based fuels. Compliance possibilities include the full array of existing tech-

nologies, including flex fuel, natural gas, hydrogen, biodiesel, plug-in electric drive, and fuel cell, as well as a catchall of new technologies.

So I encourage my colleagues to support this amendment.

□ 1640

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. We are prepared to accept your amendment and commend you for it.

Mr. ENGEL. I thank the gentleman.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HASTINGS OF WASHINGTON

Mr. HASTINGS of Washington. Mr. Chairman, for the last time, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available to the Corps of Engineers by this Act may be used for the removal or associated mitigation of Federal Energy Regulatory Commission Project number 2342.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Washington (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. I yield myself as much time as I may consume.

Mr. Chairman, in these tight budget times, it is more important than ever that the Federal Government focus its funding on the most essential and core functions. The Federal Government, however, should not subsidize private companies' business decisions, particularly when that business decision involves tearing out a 14 megawatt hydropower dam that has served two rural counties in my district.

The Condit Dam, a privately owned and operated hydropower-producing dam located in my district, was constructed in 1913 on the White Salmon River, which is a tributary of the Columbia River. Since 1947, the Condit Dam has been owned and operated by PacifiCorp and has held a license with the Federal Energy Regulatory Commission.

Over the past 20 years, rather than agree to the rigorous and costly measures associated with the FERC relicensing process, PacifiCorp opted to pursue actions to surrender its license to operate the dam and now wants to remove that dam at its own cost. This amendment will ensure that no Federal tax dollars will be used by the Corps of Engineers to remove or mitigate for the removal of the Condit Dam.

Recently, PacifiCorp representatives communicated to my office that they acknowledge that PacifiCorp itself, and not the Corps, is responsible for all impacts that removing this dam might cause to the Federal Columbia River navigation channel. My amendment simply ensures that the Federal taxpayers do not get left holding the bag for a private company's actions that could cost this private company, by their own admission, up to \$32 million.

Having said that, I do want to say this, Mr. Chairman. While I give tacit approval to a dam being removed in the Northwest—it's a private decision by a private company—I want to reiterate and continue my opposition to any attempt to remove any of the Federal dams along the Columbia or Snake River. This is a private company making their decision, and they should pay for it; and that's what this amendment attempts to address.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. HASTINGS of Washington. I yield to the distinguished chairman.

Mr. FRELINGHUYSEN. I am pleased to support your amendment.

Mr. HASTINGS of Washington. I thank the gentleman very much.

With that concurrence on the other side, I yield back the balance of my time and urge adoption of the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. HASTINGS).

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. CAPPS

Mrs. CAPPS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following:

SEC. 609. None of the funds provided in this Act may be expended by the Nuclear Regulatory Commission for the purposes of the license renewal process for the Diablo Canyon Nuclear Power Plant, Units 1 and 2, until advanced, peer-reviewed seismic studies are completed and lessons learned from the earthquake and resulting tsunami that severely damaged Japan's Fukushima Daiichi nuclear power plant on March 11, 2011 are taken into account.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to the order of the House of today, the gentlewoman from California (Mrs. CAPPS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. CAPPS. I yield myself as much time as I may consume.

My amendment would ensure the Nuclear Regulatory Commission does not move forward with the license renewal process for the Diablo Canyon power plant, located in my congressional district, until advanced seismic studies are completed and independently reviewed.

Over the last several months, I've called for a short pause in the relicensing effort currently under way at this nuclear power plant until a myriad of seismic questions at the facility are answered. Further studies are needed to demonstrate if the plant's design and operations can withstand an earthquake and other potential threats, including a previously undetected fault line, the Shoreline Fault, which runs within a few hundred yards of the plant. Even PG&E, the plant's operator, has acknowledged the validity of these concerns.

Earlier this year, the utility acceded to my request and asked the NRC to delay the finance issuance of the plant's license renewal while it completes recommended advanced seismic studies of the area. The NRC agreed to review those findings before making a final decision. PG&E also asked the California Public Utilities Commission to suspend proceedings associated with license renewal for Diablo Canyon until the studies are submitted to the NRC.

But, Mr. Chairman, PG&E and the NRC are only talking about delaying the final decision. The relicensing process is still going forward, despite the fact that virtually all of the decisions that would be made about the relicensing of the plant would be affected by what the seismic studies tell us. The cart is clearly being put before the horse here, and we need to rectify this.

My constituents deserve answers to questions regarding the ability of the plant to withstand an earthquake and nuclear accident at the same time and how long the plant would be self-sustaining in the event of such damage. It is particularly pertinent given that in March the NRC confirmed that Diablo Canyon is one of two nuclear power plants in the highest risk seismic areas in the country.

I am, to put it lightly, concerned that the NRC has not taken this seismic risk seriously enough. For example, it has failed to support the recommendations from a 2008 California Energy Commission report clearly delineating that more information is needed to determine the true seismic risk at Diablo Canyon. And just yesterday, an NRC task force review of the Japanese reactor meltdowns determined that our reactors are not sufficiently prepared to respond to catastrophic events or even simple power outages, like the one that triggered the Fukushima meltdown.

The NRC should quickly move to adopt the recommendations of this report as well as the full complement of lessons that can be learned from this disaster, and it should do it before moving forward on issuing new operating licenses to PG&E to run Diablo Canyon long into the future.

Finally, it is important to note, Mr. Chairman, that there is no hurry to relicense Diablo Canyon. The current operating licenses run to 2024 and 2025. Surely that's more than enough time to adequately investigate seismic con-

cerns in a thoughtful and transparent manner.

To be clear, I'm not calling for Diablo Canyon to be shut down or for the plant to be denied new operating licenses. What I am doing with this amendment is asking that the relicensing process be paused, briefly, until comprehensive, independent analyses of the seismic issues are completed and that they be considered as part of the relicensing process.

Diablo Canyon provides over 3 million people in California with affordable electricity. It provides many jobs in my district. It's an important element of the tax base of San Luis Obispo County; but this is an issue about safety, and we all agree that safety must be everyone's number one concern here.

I urge my colleagues to support this amendment that would ensure that this is the case.

I yield back the balance of my time.

POINT OF ORDER

Mr. FRELINGHUYSEN. I insist on my point of order.

Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: "An amendment to a general appropriation bill shall not be in order if changing existing law." The amendment imposes additional duties.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to speak on the point of order?

The Chair is prepared to rule.

The Chair finds that this amendment imposes new duties on the Nuclear Regulatory Commission. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

□ 1650

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act may be used for the Advanced Research Projects Agency—Energy.

Mr. FLAKE (during the reading). I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, I know there are a lot of people that are offer-

ing amendments, so I will try to move very quickly here.

This amendment would simply prohibit funds from going to the Advanced Research Projects Agency—Energy, or ARPA-E. There is ARPA-Defense, there is ARPA other stuff, there is ARPA-E. This is what we are trying to do is prohibit funding from going to ARPA-E, or energy.

ARPA-E is currently set to receive about \$100 million in this appropriation bill. The most compelling argument given to defund ARPA-E is found on its own Web site, which states that it was established "to focus on creative, out-of-the-box transformational energy research that industry by itself cannot or will not support due to its high risk, but where success would provide dramatic benefits." It is this kind of, I guess, out-of-the-box thinking that has gotten us into this deficit that we're running, about \$1.6 trillion.

We are broke. We are borrowing 41 cents on every dollar that we spend, yet still we find within our budget reason to find \$100 million to fund energy research in private companies that others won't fund because it's too risky.

Now, we're not talking about products for defense for which there is no commercial application; we're talking about private sector research that could reap a windfall for some private company, and has in a number of other areas. But yet we believe that it's prudent to borrow—because we're borrowing everything here—borrow money from the taxpayer to pick and choose favored companies to receive this research money.

It's not right. We ought to defund it. I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. My colleague's amendment would eliminate funding for ARPA-E. The committee's top responsibility, of course, is to reduce government spending, and I appreciate my colleague's amendment and perhaps some of his other amendments for that reason. To that end, our bill reduces spending for energy and water development to near the 2006 level, \$100 billion below fiscal year 2011, and a full \$5.9 billion below the request.

I certainly share many of my colleague's concerns about this program. The committee has taken a very close look at it. Right now, ARPA-E must not intervene where private capital markets are already acting, and it must not be redundant with other programs of the Department of Energy.

I oppose the gentleman's amendment.

I yield to the ranking member, Mr. VISCLOSKEY.

Mr. VISCLOSKEY. I appreciate the chairman yielding and would join him in opposition to the gentleman's amendment.

We just had a vote earlier in the Chamber adding \$79 million to this program. But setting that particular vote

aside, as I have mentioned several times, while I have great trepidation about people at the Department of Energy talking to each other and the Department not having the same vigor, if you would, that they have for ARPA-E, instilling that in other research centers, it does appear that this is a successful program in its infancy. We certainly ought to make sure that it has a chance to show that it can be successful over a limited number of years—they are talking about 3. My emphasis with them is to distill that same effort across the Department of Energy.

So I would join my chairman in opposing the gentleman's amendment.

Mr. DICKS. Will the gentleman yield?

Mr. FRELINGHUYSEN. I would be happy to yield to the gentleman from Washington.

Mr. DICKS. I rise in opposition to this amendment, too. The bill would provide \$100 million for ARPA-E, which is already \$80 million less than FY 2011 funding—and of course we have to take into account the amendment that was just passed—and \$450 million below the President's budget request.

ARPA-E is a promising new program that can drive innovation to support our scientific competitiveness. As I stated previously in my opening statement, ARPA-E has shown potential as a new organizational model. And I am disappointed that the same vigor that led to its creation has been largely absent when it comes to addressing the systemic and organizational problems in other existing applied programs, which was an element of the justification used for ARPA-E.

ARPA-E is modeled on DARPA. And as the ranking member of the Defense Appropriations Subcommittee, DARPA has been one of the great leaders of innovation in the national security area.

So again, I'm sorry to say it, but I think we have to defeat the Flake amendment.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

Mr. FLAKE. Mr. Chairman, I'm just hoping that this amendment doesn't rise to the level of being the most ridiculous amendment that the gentleman from Washington has ever seen.

Mr. DICKS. Close.

Mr. FLAKE. They usually do.

But I would just say again here, we're not talking about things in national security or in defense for which there is no commercial application, for which companies that invest in this kind of research would not reap a windfall, the reason for which the profit motive incentivizes companies to invest in these things. Why in the world does government have to be the investor of last resort in what are, quote, transformational energy research for which the industry by itself cannot or will not support due to its high risk? I mean, if it's that high risk, believe me, we shouldn't be taking it.

If venture capital out there won't do it, we shouldn't be doing it either with

money that we're borrowing from venture capitalists and others who have a little better idea than we do. When we go out and support corn ethanol for 30 years, for crying out loud, or some of these other things and we keep doing it and saying, Yeah, it's going to come around one of these days and this is just a promising new area of research, come on. We're \$14 trillion in debt. We have negotiations going on right now over at the White House or somewhere else trying to figure a way to raise the debt ceiling to spend more.

Isn't it time that we review programs like this, where we are trying to replace what is not happening in the private sector or trying to outguess the private sector?

And I just tell you, if we can't cut here, I don't know where we're going to cut, I really don't. The gentleman made the point that we are down to 2006 levels. Great. We ought to go further than that. I mean, 2006, we act as if that was a Great Depression year, "Grapes of Wrath" music playing or something. It wasn't exactly that. We have seen ramping up year after year after year in some of these programs. We are spending more than we ever have.

So I would urge adoption of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT OFFERED BY MRS. CAPPES

Mrs. CAPPES. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds provided in this Act may be expended by the Nuclear Regulatory Commission to issue a draft supplemental environmental impact statement (SEIS) for Diablo Canyon Nuclear Power Plant, Units 1 and 2.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from California (Mrs. CAPPES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mrs. CAPPES. Mr. Chairman, I yield myself such time as I may consume.

It is my hope that we can simply all agree to this amendment. It would simply bar the NRC from issuing a draft Supplemental Environmental Impact Statement for the license renewal of the Diablo Canyon nuclear power plant.

The purpose of this amendment is to ensure that the NRC does not move forward with the relicensing effort currently underway at Diablo Canyon until advanced, peer-reviewed seismic studies of the area are completed and the findings are shared with the NRC. These advanced seismic studies are needed because the USGS—U.S. Geological Survey—announced in 2008 the discovery of a previously undetected fault line, the Shoreline Fault, which runs within a few hundred yards of Diablo Canyon.

□ 1700

The NRC also recently confirmed that Diablo Canyon is one of two nuclear power plants in the highest risk seismic areas in the country. Without these studies, we cannot say for certain whether an earthquake along the Shoreline Fault or others nearby would result in a severe nuclear accident.

It's important to note, Mr. Chairman, that my amendment only affects the Diablo Canyon nuclear power plant. It will not shut down the power plant, nor will it stop the relicensing effort or even prevent PG&E, the plant's operator, from gaining new operating licensings to run Diablo Canyon in the future. Instead, it would simply ensure the NRC gets answers to the unstudied and unresolved seismic questions before it issues the draft environmental report.

My amendment is also consistent with PG&E's own request that the NRC delay the final issuance of the plant's license renewal until its seismic research in the area is completed. The NRC has also made it clear it will review those findings before making a decision on whether to grant renewed operating licenses for the plant to PG&E.

Moreover, last month, PG&E asked the California Public Utilities Commission to suspend proceedings associated with license renewal funding for Diablo Canyon until its advanced seismic studies are finished and the findings have been submitted to the NRC. Unfortunately, however, work on the relicensing effort continues, even though the seismic studies have not been completed and won't be for several years and even though the outcome of these studies could very well affect every operation at the plant.

Mr. Chairman, we need answers about the seismic risks at Diablo Canyon and what steps are needed to address them and prepare for any disaster, and we need them before the relicensing process moves forward. So I urge my colleagues to join me in voting "yes" on this straightforward amendment, to ensure an evaluation of the risks that the offshore faults pose to Diablo Canyon.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. We respect the gentlewoman's efforts to protect the interests of her State and district; however, her amendment intervenes in a specific local project by prohibiting funds for a required step in the licensing process. I do not believe this is an appropriate Federal role in a process that should be driven by the State and local communities while being carefully evaluated by the Nuclear Regulatory Commission. I, therefore, must oppose the amendment and urge other Members to oppose it as well.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. FRELINGHUYSEN. I would be happy to yield to the ranking member from Indiana.

Mr. VISCLOSKY. I appreciate the gentleman yielding.

I reluctantly join him in his opposition. Again, I understand what the gentlewoman from California is attempting to do. I appreciate her endeavors here and certainly would commit to working with her to ensure that the Nuclear Regulatory Commission is moving forward in a considered and responsible manner on this license application.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Mrs. CAPPS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. CAPPS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act may be used for the Fossil Energy Research and Development program of the Department of Energy.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. This amendment would prohibit funds from going to the Fossil Energy Research and Development program.

The Fossil Energy Research and Development program is set to receive nearly \$500 million through this appropriation bill. The committee report recommends that no less than \$25 million be used to continue research in certain areas. But we shouldn't have any money going to subsidize Big Oil.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. The gentleman's amendment would eliminate funding for the Fossil Energy Research and Development program, causing hundreds, if not thousands, of job losses and threatening our Nation's ability to compete in the rapidly growing portion of the energy sector.

I may also note for the record, Mr. Chairman, that Arizona itself is dependent, I believe, with close to 60 percent of its energy coming from fossil energy. So fossil energy is a part of the Nation's equation, and we had better be careful before we eliminate research and development.

Let me say, I appreciate and recognize the gentleman's passion for cutting spending and spending that is duplicative, but this type of research is important.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the ranking member.

Mr. VISCLOSKY. I want to join the chairman in his opposition.

Recognizing that 70 percent of our energy consumption comes from carbon fuels, it's very important for this government and for this Nation to learn how to, as efficiently and as effectively, use them. And again I think, for that reason alone, we should oppose the gentleman's amendment.

I appreciate the chairman yielding.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

Mr. FLAKE. You know, with an energy resource as old as fossil energy, we're talking fossil fuels, we're talking Big Oil. We always hear from the other side of the aisle, Quit subsidizing Big Oil. And here we are directly saying we're going to give them research.

You know, some of the companies that directly receive grants under the plan I think are companies like Chevron or others to develop energy in the gulf or whatever else. Why in the world are we subsidizing that? We are hearing that they have profits, billions and billions of dollars just in the quarter, not just the year, and yet here we are subsidizing them again to more efficiently use fossil energy?

Now, fossil energy has been around a long time. It's not exactly a notion that no research goes into it. And it's going to be around for a lot longer still. Why in the world is the Federal Government saying we need to subsidize these companies who are conducting research on use and efficiency for fossil energy?

If we can't cut here, again, where can we cut? If we're going to stand up for Big Oil when it comes to spending money here, then where can we cut? I'm just flabbergasted when I come down to the floor and look at what

we're funding and subsidizing here. But yet I hear the rhetoric about how we need to make sure that they're paying taxes and whatever else. I think they should. I think we ought to get rid of the corporate subsidies, all of these kinds of corporate subsidies. But why in the world are we developing programs to spend billions of dollars overall, millions in this case, to help these for-profit companies that we blast in one breath and then subsidize with the next? Where does it end, Mr. Chairman? If we can't cut here, where can we cut?

Again, this is fossil energy. It's been around a long time. It will be around a long time. We don't need to subsidize it.

And remember, every dollar we spend here is a dollar that we have borrowed from people across the country, from taxpayers, from investors, from venture capitalists, from others who would invest it far more wisely than we would here. The best allocation of capital resources is through the free market, not by government fiat or subsidy. We've learned that over time, but yet we persist in doing this time after time after time.

I urge adoption of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

□ 1710

AMENDMENT OFFERED BY MR. DENHAM

Mr. DENHAM. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. 6. None of the funds made available by this Act may be used to implement section 10011(b) of Public Law 111-11.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from California (Mr. DENHAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DENHAM. I yield myself as much time as I may consume.

Mr. Chair, the underlying bill has already removed the funding for a program that is failing to show any positive results and has done more harm than good. The San Joaquin River Restoration Program continues to push forward on an ill-advised path of wasting water out to the ocean under the guise of saving salmon. What this amendment does is to prohibit the premature reintroduction of an endangered species into an uninhabitable

river, a river biologists say is not ready for salmon, a program that is supposed to occur after the construction of fish screens and the completion of an environmental study, neither of which is complete.

All Central Valley salmon runs are struggling to regain healthy numbers. This amendment ensures that bureaucrats don't purposely reduce the numbers of available salmon in other streams to plant them into the San Joaquin system and further threaten or endanger current runs. The Bureau of Reclamation needs to be provided with more time to complete the environmental studies and build the infrastructure required by the San Joaquin River Restoration Program before this river can sustain a salmon run.

Finally, even the National Marine Fisheries Services has doubts about the success of reintroduction. Contained within the final draft of their Reintroduction Strategies, NMFS expressed concerns that the San Joaquin River Restoration Program will not complete necessary channel improvements for a successful reintroduction.

Mr. Chair, I reserve the balance of my time.

Mr. VISCLOSKEY. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKEY. Mr. Chairman, I rise in strong opposition to the amendment offered by my colleague from California. In 2009, Congress ratified the San Joaquin Settlement Act, which ended 18 years of litigation in the Central Valley of California over water. The agreement was supported by the previous administration and California's then-Republican Governor Schwarzenegger.

The Federal authorizing legislation was initially cosponsored by Congressman Pombo in the House and Senator FEINSTEIN in the Senate. The underlying bill zeroes the \$9 million request for the San Joaquin River Restoration Fund and rescinds \$66 million in mandatory funds for these activities.

As we stand on the House floor today, we are undermining this agreement, which, if it were to stand, that is the amendment, will land this case simply back into court. If the court is forced to take over river restoration, the Friant water users would be at risk of losing over 20 years of water supply certainty provided by the settlement. The amendment, I believe, is an attempt to end the broadly supported and bipartisan effort to restore the river, while also improving water supply management, flood protection, and water quality.

The amendment is piling on, if you would, given that the vast majority of funding for the settlement has been cut. There is no need to eliminate all funding just to ensure water attorneys can make a few more boat payments.

As I said at the outset, I strongly oppose the gentleman's amendment.

I reserve the balance of my time.

Mr. DENHAM. Mr. Chair, it's apparent that the gentleman from Indiana has not seen the river in my area, or simply just doesn't understand its flow. But to take an endangered species from Northern California, truck it down to the Central Valley, put it into a river that does not have fish screens, that does not have fish ladders, that does not have the environmental study just to watch these fish die is not only irresponsible, but it's a waste of money.

So I would invite the gentleman from Indiana to come visit us anytime. But certainly don't make the mistake of killing an endangered species. I urge the adoption of the amendment.

I yield back the balance of my time.

Mr. VISCLOSKEY. In closing, I would again point out that in 2009, Congress ratified this settlement to end 18 years of litigation. I do not think we should adopt the amendment and potentially begin another 18 years of litigation and would ask my colleagues to oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. DENHAM).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SCALISE

Mr. SCALISE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ For "Corps of Engineers-Civil-Construction" there is hereby appropriated, and the amount otherwise provided by this Act for "Corps of Engineers-Civil-Expenses" is hereby reduced by, \$1,000,000.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Louisiana (Mr. SCALISE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. SCALISE. Mr. Chairman, I offer this bipartisan amendment with my fellow Louisiana colleague, Democratic Congressman CEDRIC RICHMOND. And what our amendment does is it transfers \$1 million out of the Corps of Engineers' expense account and into the Corps' construction account for critical coastal restoration efforts.

If you look at what we're dealing with here, what we're trying to address, not only can we maintain fiscal responsibility, but we need to also maintain and restore America's wetlands.

And just what is happening to America's wetlands? What are we trying to address with this amendment? Louisiana alone has lost 25 square miles of coastal wetlands every year.

And I want to hold up this football to represent that every single hour, Mr. Chairman, every single hour the State of Louisiana alone loses an entire football field of land, an entire football field of land that's eroded away. And

what exactly does that wetland, America's wetland, protect that's eroding away?

I want to show a chart here of the oil and gas infrastructure, the pipelines that move America's energy throughout the country. In the gulf coast alone, just in Louisiana, we produce about one-third of America's energy. And we talk all the time about our interest in reducing our country's dependence on foreign oil, and I strongly, strongly support that effort. In fact, Louisiana is at the forefront of doing that.

But that energy that we produce, and we ought to be producing more of it, we have the opportunity to produce more, but the energy we do produce is distributed throughout the entire country through pipelines that are in jeopardy right now because of that erosion of our coast, this wetland in America.

And not only is it the oil and gas infrastructure that's at risk, but also seafood production. The gulf coast of Louisiana, we produce a third of the country's seafood. And just looking at this chart makes me hungry when you look at the oysters, and the crabs, and the fish, this great product that we produce off our coast. But all of that comes from America's wetland, from that wetland that's evaporating, eroding away. And we're trying, we're bringing a bipartisan amendment to stop that from happening.

Louisiana's put its own skin in the game to the tune of over a billion dollars, over a billion dollars of money that Louisiana's put in. But there was a project that was authorized by this Congress, because this is a national issue. And, in fact, Congress has recognized this is an issue that shouldn't just be left up to Louisiana, because we're talking about something that protects and serves the entire country. And that's why in 2007, the LCA project was authorized by Congress. And all we're trying to do is keep that project alive, moving a million dollars from the expense account over into the Corps' construction account.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise in reluctant opposition. First of all, I want to commend the gentleman for his advocacy for coastal restoration, and should we say literally carrying the ball for coastal restoration and for his remarkable props. We know on this committee what a high priority it is for his district and his State. May I thank him also for coming to the floor earlier to make a case, obviously, for controlling spending, but also doing some things that are very important to his constituents and others affected by the devastating floods. I want to commend him for his strong advocacy.

□ 1720

The bill before us includes more than \$16 million, or more than 15 percent of the entire investigations account, to continue work on coastal restoration through studies, engineering, and design on various components of the program.

The committee had to make some tough choices in the bill, though, and although the Corps of Engineers construction account has increased \$86 million above the President's request, let me say, above the President's request, it is still a reduction from fiscal year 2011.

The Corps had numerous projects under construction that were not included in the President's budget request and so were likely to be funded in construction year 2012.

While construction funding is trending downward, I believe it is most prudent to prioritize funding for these ongoing projects so they can be completed and the Federal Government can realize some benefits from previous spending, rather than starting new projects, as important as they are.

And even given that this project is currently authorized at approaching \$2 billion and may continue to grow, it would not be prudent to begin another major new project while we have so many new commitments.

For these reasons I must oppose the amendment, but I sympathize with the gentleman on the purposes for which he is here.

I yield to the ranking member, the gentleman from Indiana.

Mr. VISCLOSKY. I thank the chairman for yielding.

I also would use the word "reluctantly" because I understand the need that the gentleman has in his region in this country. I appreciate his efforts in this regard.

But, again, I do support the Chair's policies as far as no new starts, given the fact that over the last several years we have terminated hundreds of ongoing projects. This is going to be a significant cost.

Until we can have the intestinal fortitude with the administration to provide the necessary funds for ongoing funds alone, it is difficult to begin a new endeavor. The gentleman indicated his efforts to increase a request made by the President, despite his best efforts to add money to the bill. We are now \$677 million below what we are spending on water projects in this country in fiscal year 2010.

So, again, with all reluctance I am constrained to join with my chairman in opposition.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

Mr. SCALISE. Mr. Chairman, I appreciate the interest by both gentlemen in dealing with the backlog that the Corps currently has, and, in fact, that's one of the reasons why, when I worked closely with my colleague from New Orleans, CEDRIC RICHMOND, on this amendment, we first of all made sure

not to take anything away from existing projects, so those existing projects in the pipeline are not affected at all by this amendment.

And, in fact, the Corps's overall budget is not increased by our amendment, and we worked very hard to get to that point that we weren't taking away from other vital projects but pointing out that this is not a Louisiana-specific issue, this is a national issue. And as we talked about that pipeline, that series of pipelines that goes throughout the entire country to supply the energy needs of our Nation, and we talk about the vital seafood production and the things that make our gulf seafood so appetizing to people all around the country and around the world, but I also want to go back to this football and talk about the football field of land that erodes every hour. Just the last hour we have been sitting here, an entire football field of America's wetlands has eroded away, and we can reverse that trend without taking away from any other projects.

I understand the importance of that and, like I said, that's why we worked so hard to put the amendment together in the way that we did. I would urge adoption from all of my colleagues.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. SCALISE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SCALISE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Louisiana will be postponed.

AMENDMENT NO. 81 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. The amount otherwise made available by this Act for "Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy" is hereby reduced to \$0.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Georgia (Mr. BROUN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. BROUN of Georgia. Mr. Chairman, my amendment eliminates funding to the Department of Energy's Office of Efficiency and Renewable Energy.

We should be developing the vast quantities of proven energy resources readily available in this country, but instead the government continues to subsidize green technologies that are

not yet ready to be used wide scale. They are neither efficient nor affordable, and Federal agencies should not be in the business of picking winners and losers. If these technologies were viable, the Federal Government would not need to give them handouts and, instead, they would be able to succeed on their own.

Further, this legislation provides millions of dollars of foreign assistance to countries like China and India to implement renewable energy programs. At a time when our Nation is broke, and we are broke, why are we sending taxpayer money to our foreign competition?

I urge support of this amendment.

I reserve the balance of my time.

Mr. VISCLOSKY. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. Mr. Chairman, I would point out to my colleagues that the amendment, as stated by the gentleman, would eliminate all funding for the Office of Efficiency and Renewable Energy.

The bill already includes a reduction of \$491 million from the current year level, which is a 25 percent cut.

The debate, relative to energy policy in this House—and not necessarily restricted to this amendment—talks about subsidies. But there are two parts to a Federal budget: There are spending-side issues and there are revenue- and tax-side issues.

I would hazard a guess as we stand here that there is not an energy source in the United States of America, be it coal, be it nuclear, be it gas, be it solar, be it wind, that does not somehow receive some benefit either by loss revenue or direct spending of the Federal Government in its endeavors.

What we do have to do is necessary research to make sure that we do expand the mix of energy utilization in this country, and certainly that is the purpose of the Renewable Energy Program Research at the national level. With 70 percent of our energy now generated through coal or natural gas, this cannot continue.

As I have said in earlier debates during the week, my senior Senator from Indiana, Senator LUGAR, has always described our energy problem as a national security issue given where petroleum products tend to be bought in the United States of America. Without this type of very serious research, we are not going to solve that national security problem, and we are not going to assiduously create job opportunities and economic opportunities.

I would respectfully object and oppose the gentleman's amendment.

Mr. LEWIS of California. Will the gentleman yield?

Mr. VISCLOSKY. I yield to the gentleman from California.

Mr. LEWIS of California. I appreciate my colleague for yielding.

Very briefly, while I am very respectful of my colleague's attempt here to

do what he can to cut clear back on spending, this is a very important area of our committee's responsibility.

The amendment would totally eliminate funding for Energy Efficiency and Renewable Energy. It is a bit, a step too far, and I associate myself with the remarks of my colleague and reluctantly oppose the amendment.

Mr. VISCLOSKY. I reserve the balance of my time.

Mr. BROUN of Georgia. I appreciate the gentleman from Indiana's comments, and I submit that the best way to make sure that we have that national security that my colleague from Indiana was talking about is for us to open up all of our God-given resources of energy here in this country, and we are not doing that.

Mr. Chairman, we need to start doing everything we can to develop every energy source that we have, and I believe in an all-of-the-above energy policy.

□ 1730

The best way to determine what energy policy is going to be viable and is best for America is by letting the marketplace work. I believe in the brilliance of the marketplace. The marketplace, unencumbered by taxes and regulation as well as free from government meddling in the marketplace by picking winners or losers, is the best way to develop those drastically needed energy resources. And I believe in renewable energy. But is it viable economically? And is this country going to be viable economically if we continue spending like we have been spending?

And, in fact, many Members of Congress seem to have the idea that this country is going to totally dry up and blow away if the Federal Government doesn't supply everything to every entity's needs. I hear over and over again from colleagues that they want to continue this spending and that spending. In fact, in the committees—I serve on three committees—I hear my colleagues, particularly other side, talk about we have a tremendous debt that we need to deal with.

But it reminds me—as I hear them also talking about not cutting programs—it reminds me of an old saying back from our founding era when our Founding Fathers were talking about the discussion in taxes. Today's mantra is "don't cut me, don't cut thee, cut the fellow behind the tree." Well there's nobody behind the tree.

I believe we are in an economic emergency as a Nation, and Congress needs to face the fact. We're headed towards an economic collapse as a Nation. We've got to stop picking winners and losers and let the marketplace do that. Let people vote with their dollars instead of our funding this and not subsidizing that, subsidizing this and not subsidizing that. The best way to do these things, the best way to figure out who should be the winner or loser is let the marketplace do what it does best and let people vote with their dollars. Let

people invest in things that make sense and not invest in those things that don't make sense.

And we've got a lot of renewables such as this corn-based ethanol that doesn't make sense. It doesn't make sense economically, and it doesn't make sense even from an energy perspective. In fact, I'm a good Southern boy. I love my grits and cornbread. It makes absolutely no sense for me to be burning up my grits and cornbread driving down the road putting it in the gas tank of my GMC Yukon.

So we need to let the marketplace do its thing. We need to reel in the spending that Republicans and Democrats alike over the last several decades have been using to grow the size and scope of government. So I encourage my colleagues on both sides to support this amendment. It makes sense economically.

I yield back the balance of my time.
Mr. VISCLOSKY. I urge a "no" vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BROUN of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I would just point out that there are no amendments left on our side that I know of, and I hope that your side can be more expeditious. Thank you. Some of us have important ball games to go to.

I yield back the balance of my time.

AMENDMENT NO. 63 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act may be used to carry out the activities specified in section 505 of the Energy Policy Act of 1992 (42 U.S.C. 13255).

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Georgia (Mr. BROUN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. BROUN of Georgia. Mr. Chairman, I will try to be expeditious and comply with my friend from Washington's request to not delay this.

This amendment simply prohibits the Department of Energy from spending

money to implement the Vehicle Technologies Deployment Subprogram within the Energy Efficiency and Renewable Energy's "Clean Cities" program.

Earlier, I offered an amendment to cut funding from this program and transfer it into the spending reduction account. As I mentioned before when I presented my previous amendment, it is not appropriate for the Federal Government to be spending dollars on programs that the private sector should be doing or that local and State government can do. This program, this Vehicle Technologies Deployment Subprogram, is corporate welfare. I remind my friends, this is corporate welfare. And, in fact, I have heard over and over from my friends on the Democrat side that we need to stop doing corporate welfare. And I hope that they will support this amendment because that's what this simply is.

I urge my colleagues to support my amendment.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. The amendment of the gentleman from Georgia would prohibit funds for the Vehicle Technologies activities at the Department of Energy that work with cities across the country to reduce our dependence on foreign oil. The gentleman should know that the committee closely evaluated the alternative fuels program and slashed it to \$202 million below the budget request, leaving only \$26 million that we found to be well justified.

So we are making some progress and we are making some tough decisions. And even though the gentleman's heart is in the right place, we do need the \$26 million to continue the program, and thus I oppose the gentleman's amendment, albeit reluctantly.

I yield back the balance of my time.

Mr. BROUN of Georgia. Mr. Chairman, I appreciate the committee's cutting this program down to the \$26 million. But, again, this is corporate welfare to Fortune 100 companies, many that get these funds. We do need to reduce this country's dependence upon foreign oil, but this is not the way to do it. The way to do it is to open up exploration of our own energy resources here in America.

This is a commonsense amendment to strike out about \$26.5 million out of funding that we just simply don't have. It's money that we're borrowing from our foreign competitors as well as here in this country, and it's creating more and more debt. So I urge passage of my amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BROWN of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 27 OFFERED BY MR. FLORES

Mr. FLORES. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), add the following new section:

SEC. ____ None of the funds made available by this Act may be used to enforce section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17142).

The Acting CHAIR. Pursuant to order of the House of today, the gentleman from Texas (Mr. FLORES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. FLORES. Mr. Chairman, I rise to offer my amendment, which would address another restrictive and misguided Federal regulation. Section 526 of the Energy Independence and Security Act prevents Federal agencies from entering into contracts for the procurement of an alternative fuel unless its "lifecycle greenhouse gas emissions" are less than or equal to emissions from conventional fuel produced from conventional petroleum resources. Simply put, my amendment would stop the government from enforcing this ban on Federal agencies funded by the Energy and Water appropriations bill.

□ 1740

The initial purpose of section 526 was to stifle the Defense Department's plan to buy and develop coal-based or coal-to-liquids jet fuels, based on the opinion of environmentalists that coal-based jet fuel produces more greenhouse gas emissions than traditional petroleum. I recently offered similar amendments to the MilCon-VA, Ag, and DOD appropriations bills, and each time those amendments passed this House by voice votes. My friend Mr. CONAWAY also had language added to the Defense authorization bill to exempt the Defense Department from this burdensome regulation. But section 526's ban on fuel choice applies to all Federal agencies, not just the Defense Department. That is why I am offering it again today.

Federal agencies should not be burdened with wasting their time studying fuel emissions when there is a simple fix, and that is not restricting their fuel choices based on extreme environmental views, policies, and regulations like section 526. With increasing competition from other countries for energy and fuel resources, and the continued volatility and instability in the Middle East, it is more important than ever for our country to become more

energy independent and to further develop and produce our domestic energy resources. Placing restrictions on Federal agencies' fuel choices is an unacceptable precedent to set with regard to America's energy independence and its energy policy.

Section 526 makes our Nation more dependent on Middle East oil. Stopping the impact of section 526 will help American energy, improve the American economy, and create American jobs. I urge my colleagues to support passage of this commonsense amendment.

I reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. Mr. Chairman, section 526, I believe, is a commonsense provision that stops Federal agencies from wasting taxpayer dollars on new, alternative fuels that are dirtier and more polluting than the fuels we use today. The section simply bars agencies from entering into contracts to purchase alternative and unconventional fuels that emit more carbon pollution than conventional fuels on a lifecycle basis. I think that is just a rational, commonsense requirement.

The effect of this provision that has been in place is to spur development of advanced biofuels. These fuels are being successfully tested and proven today on U.S. Navy planes at supersonic speeds. And I believe it is a testament to American ingenuity.

I think the path that the gentleman wants to pursue is the wrong one. It is unsustainable in the longer term, and it will not lead us to energy security. Therefore, I am opposed to his amendment.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I am prepared to accept the amendment offered by the gentleman from Texas. His amendment strengthens national security by allowing the Federal Government more alternatives to imported petroleum fuels.

More than half of the oil the Nation consumes each year is imported, as we know, and today the price of gasoline is hovering around the \$4-a-gallon mark. By declaring some new fuel options to be off limits, section 526 of the Energy Independence and Security Act of 2007 limits our Nation's ability to reduce its dependence on oil imports.

His amendment puts all alternatives back on the table, which I think is needed, so the Nation can begin to develop and use fuels that are made with resources from here in the United States. Energy self-sufficiency is a national security issue, and this amendment takes us in the right direction. I

am pleased to support the gentleman's amendment.

I yield back the balance of my time.

Mr. FLORES. I want to respond to what my amendment really does, and let me read a letter from the Department of Defense general counsel to Senator INHOFE from July of 2008. I quote: "It creates uncertainty about what fuels DOD can procure, and will discourage the development of new sources, particularly reliable domestic sources of energy supplies for the Armed Forces."

Let me go on. Let me give you a practical, real world example as to what section 526 does.

Our closest neighbor with stable energy supplies is Canada. We import 650,000-plus barrels a day of oil that is produced from oil sands in Canada. That oil makes its way throughout the refinery system throughout the United States and gets blended into jet fuels, gasoline, and diesel fuel. A literal interpretation of section 526 would say that the U.S. military, the United States Government, more broadly, cannot utilize any of those fuels. There is no technical or commercial way that the military of the United States Government can make sure it is not using any fuel source that came from that crude oil.

Let me go on and wrap up like this. You are going to hear a lot of remarks from the other side of the aisle regarding the claims about section 526 or about my amendment. My amendment does nothing, nothing to remove the ability of the Federal Government to use alternative fuel sources. It can use whatever fuel source it wants to under my amendment.

Section 526 increases our reliance on Middle East oil. It hurts our military readiness, and its national security and energy security. It prevents the increased use of safe, clean, and efficient North American oil and gas. It increases the cost of American food and energy, and it hurts American jobs and the American economy.

Mr. Chairman, I yield back the balance of my time.

Mr. VISCLOSKY. If I could ask the author of the amendment just one question.

On the letter, was that a letter from Senator INHOFE to the Department of Energy or from the Department of Energy to the Senator?

I yield to the gentleman from Texas.

Mr. FLORES. It is from the Department of Defense to Senator INHOFE.

Mr. VISCLOSKY. I appreciate the clarification.

I remain opposed to the gentleman's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. FLORES).

The amendment was agreed to.

AMENDMENT NO. 75 OFFERED BY MR. YOUNG OF INDIANA

Mr. YOUNG of Indiana. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act may be used to pay the salaries of Department of Energy employees to carry out section 407 of division A of the American Recovery and Reinvestment Act of 2009.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Indiana (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. YOUNG of Indiana. Mr. Chairman, I yield myself such time as I may consume.

Our Nation's unemployment rate currently sits at 9.2 percent, a full 1.6 percent higher than when President Obama took office. I am hearing from my southern Indiana constituents, and I've heard this for months now, that the President's failed experiment of spending our way to prosperity and creating great uncertainty about future tax rates and interest rates must end.

A step in the right direction would be supporting this modest amendment which my esteemed colleague, the gentleman from Indiana (Mr. BURTON), and I have worked on together. The amendment would merely restore eligibility criteria for the Weatherization Assistance Program to pre-stimulus levels.

By way of background, prior to 2008, the Weatherization Assistance Program enabled families at or below the 150 percent poverty level to reduce their energy bills by making their homes more energy efficient. Since the stimulus bill increased this eligibility threshold, the Weatherization fund has exploded and currently has accumulated an estimated \$1.5 billion in unspent funds.

Moreover, the program has been a model of government waste and inefficiency. Late last year, for example, New Jersey's State auditor audited just \$614,000 worth of Weatherization funds disbursed in his State. He found that \$33,000 of this \$614,000 that were spent actually went to no services at all. So over 5 percent of the funds spent in that State were spent on nothing.

This sort of waste and inefficiency, no doubt, is being seen all across the country. We have seen recent audits of Weatherization programs in Illinois, Delaware, Tennessee, and Texas yield similar results.

Personally, I agree with those who say that most Americans already have sufficient incentives and means to reduce their energy bills by weatherizing their own homes and that government lacks sufficient incentives to spend our tax dollars responsibly. That is why we should adopt this modest amendment that would merely limit this program to our neediest citizens by restoring eligibility criteria back to pre-stimulus levels.

So I would say let's improve our climate for private sector job creation however we can. Let's eliminate wasteful and nonessential spending wherever we can find it. That is what this amendment does.

□ 1750

Mr. VISCLOSKY. Will the gentleman yield?

Mr. YOUNG of Indiana. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. We accept the amendment.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. YOUNG of Indiana. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. We accept the amendment as well.

Mr. YOUNG of Indiana. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Indiana (Mr. YOUNG).

The amendment was agreed to.

AMENDMENT NO. 76 OFFERED BY MR. LANDRY

Mr. LANDRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act may be used to pay the salary of individuals appointed to their current position through, or otherwise carry out, paragraphs (1), (2), and (3) of section 5503(a) of title 5, United States Code.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Louisiana (Mr. LANDRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. LANDRY. Mr. Chairman, my amendment is simple. It prevents the misuse of recess appointments while preserving the Founders' intent by allowing the President to quickly make emergency recess appointments if the need arises.

I know this may surprise many Members, but current law actually prohibits the salaries of recess appointees, which was a law passed in 1863 that stayed on the books until 1940. It prohibited those who received recess appointments from being paid. Then some exceptions were made, and those exceptions basically took the intent of the law out. So these exceptions, these loopholes, are so broad that they make the prohibition against recess appointments useless, but the administration can always find a way to make these recess appointments.

I reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR (Mr. BASS of New Hampshire). The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. These are legal appointments made by the President of

the United States—by this President, the last President, the President before that, the President back to George Washington. It is the administration's priority to make these appointments.

While each of us, or collectively, disagree with some of the individuals put into particular positions, until we change the law, the House should not pick and choose the staff for the executive branch any more than it should be picking ours.

If the gentleman wants a say in the President's hires and appointments, I suggest he work to change the Constitution. Article II, section 2 gives the Senate say over Presidential appointments and gives the President power to make recess appointments.

I urge my colleagues to vote "no" on the amendment.

I reserve the balance of my time.

Mr. LANDRY. I don't argue the legality of the President's recess appointments.

I am doing what many Congresses have done prior, all the way since 1860, when they realized that this was a problem when Presidents and administrations tried to bypass the will of the people. I am using the power of this House, which is the power of the purse, to make sure that, when the President makes recess appointments—look, this isn't the 1800s anymore. Congress is not out for months and months at a time. If the President needs to make an appointment in an emergency, he certainly has the time, and he will be able to take that recess appointment and put it before the Senate. I am simply saying, until that recess appointee is confirmed by the Senate, he or she shall not receive any pay.

My friends across the aisle have spent most of the past month talking about closing loopholes, so I hope they will join me in protecting the taxpayers by closing the loophole in the law that currently exists. Let's bring the law back to the intent of it, which is to prohibit recess appointees from receiving salaries until the appointees are confirmed. I urge my colleagues to vote for this amendment.

I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, this is a constitutional issue, and we have no business in it. I would urge my colleagues to vote against the gentleman's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. LANDRY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. LANDRY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Louisiana will be postponed.

AMENDMENT OFFERED BY MRS. BLACKBURN

Mrs. BLACKBURN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 5 percent.

The Acting CHAIR. Pursuant to the order of the House of today, the gentlewoman from Tennessee (Mrs. BLACKBURN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACKBURN. Mr. Chairman, the Energy and Water Development appropriations bill before us today includes \$30.6 billion in funding. That falls \$1 billion below last year's level and \$5.9 billion beneath the President's budget request.

While I applaud our appropriators for the great work they've done in reducing this spending, I am one of those Members of the House who believes there is still room for improvement. We are in an extraordinary time when it comes to our budget and when it comes to the budget of this Nation in the spending, and this extraordinary time does require some extraordinary measures.

That's why I am introducing a 5 percent across-the-board spending reduction amendment. This amendment has the backing of 10 national conservative groups. This amendment would reduce the funding appropriated by this bill by an additional \$1.5 billion and would take Federal spending back to just above the fiscal year 2007 level.

Across-the-board spending cuts effectively control the growth and the cost of the Federal Government. They give agencies the flexibility to determine which expenses are necessary and which are not. In fact, in my State of Tennessee, as I have mentioned many times as we have debated these across-the-board amendments—and Mr. Chairman, I know many of my colleagues are probably a little bit tired of hearing of these across-the-board spending cuts—we bring them forward because the States have used them, and they've used them successfully.

A Governor in my State, who is of my colleague's party across the aisle, made a 9 percent across-the-board spending reduction to bring that budget back into balance, to put our State on a firm fiscal footing. Our States that have balanced budget amendments take these actions, and they take them carefully, cautiously, and with an eye towards securing fiscal stability.

It is time for us in Congress to begin to enact these very same measures. Removing a nickel from every dollar is a way we can help our departments find new efficiencies and to reform wasteful business practices. It would save taxpayers millions of dollars in the process. Indeed, if we had been doing this for years, we probably wouldn't find ourselves in the situation that we are

in right now. It's a step in the right direction, so I encourage the support of my colleagues on the amendment.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in strong opposition to the gentlewoman from Tennessee's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. First of all, I do appreciate the fact that she recognizes the committee made some tough choices. In fact, our overall bill is really down close to the 2006 level. Obviously, in some quarters, that doesn't satisfy every Member of Congress, but I'm respectful of her desire to go further.

Cuts of this magnitude, quite honestly, go far too deep. The types of things we do in our bill—our responsibility for the reliability of the nuclear stockpile—that's utmost, as is our responsibility for cleaning up nuclear waste. In fact, there are consent decrees where things have to be cleaned up because of things left over from World War II. There is research and development, which is important, and water issues. We heard for 2½ hours earlier today of the types of things that can happen to our Nation when water infrastructure is not kept up and modernized. There is the loss of human life, the loss of livelihoods, the loss of tens of thousands of jobs.

□ 1800

I am respectful of the gentlewoman's perspective, but in reality this would be very damaging to our national security and to things that are important to life and property.

I am happy to yield to the ranking member.

Mr. VISCLOSKEY. I appreciate the chairman for yielding and join with him in opposition. I think he has stated the case very well.

I would also add the expenditures in this legislation on nonproliferation. I think one of the greatest threats our country faces is the issue of nuclear terrorism. Again, we have to be very thoughtful. The chairman has had to make some very serious and profound choices. I think he has done an excellent job doing so, and we ought to stop where we are.

I am opposed to the woman's amendment.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield back the balance of my time.

Mrs. BLACKBURN. In closing, I do appreciate the comments that have been made, and I appreciate the work of the Appropriations Committee. I do agree that the issues that are dealt with are important issues. So is the fiscal stability of this Nation, I think. That's a very crucial and very important issue that is laid before us at this time. So is sending a message to our constituents and to the taxpayers of this Nation, that, yes, indeed we are

going to require the bureaucracy to tighten its belt.

One of the questions I am most often asked by my constituents is, in our homes, in our businesses, in our churches, we're all tightening the belt. Why is the bureaucracy not tightening its belt? Why does Washington seem to be recession-proof?

They want to see this bureaucracy engaged in this. They want to see the bureaucracy join us in the fight to put this Nation on a firm fiscal footing.

When it comes to our Nation's security, I would just remind my colleagues that on July 6, 2010, Admiral Mullen made the comment that the greatest threat to our national security is our Nation's debt.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. BLACKBURN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Tennessee will be postponed.

AMENDMENT OFFERED BY MRS. BLACKBURN

Mrs. BLACKBURN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 1 percent.

The Acting CHAIR. Pursuant to the order of the House of today, the gentlewoman from Tennessee (Mrs. BLACKBURN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACKBURN. Thank you, Mr. Chairman, and I thank the chairman of the Appropriations Committee for the time to speak on this and to bring this amendment forward.

Again, this is a cut amendment. Every year, I say let's look at 1 percent, 2 percent, 5 percent. Let's look at where to make these reductions. I do it because I know that we all realize and probably many of us in this Chamber agree with the sentiment that Ronald Reagan regularly expressed, and that is that the closest thing to eternal life on Earth is a Federal Government program. We are reminded of that fact today as we are here debating this funding bill.

This amendment calls for a clean 1 percent across-the-board reduction in each account of this act. One penny on a dollar. We are doing this, yes, for today; yes, to send a message to constituents that we are working to reduce the spending; yes, to send a message to those that are watching the

growing debt in this country; yes, a message that we are getting the fiscal house in order. We are also doing it for our children and our grandchildren, to make certain that they have an America that is strong, that is safe, that has its fiscal house in order.

We are in a time where every child that is born in this Nation is now seeing \$46,000 worth of debt heaped on their head, Federal debt, that is theirs. It is so important that we make this cut. It's an extra \$306 million that would come out of this budget.

As I said in my previous remarks, the appropriators have worked hard. They have worked diligently to make certain that they were reducing and coming in below last year's level, and they are to be commended for that. But these are extraordinary times and it requires that we put the focus on going a step further, that we engage those that are running the bureaucracies, and that we have them go save a penny out of a dollar and that they do it for future generations.

Mr. Chairman, I reserve the balance of my time.

Mr. FRELINGHUYSEN. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. First of all, I want to thank the gentlewoman from Tennessee again for her steadfastness in trying to reduce spending.

Our committee had the lowest—our spending level went back to 2006. One of the benefits of serving on the committee and one of the reasons I traditionally oppose across-the-board cuts, 1 percent, 5 percent, 3 percent, is when you serve on the committee and you've already made substantial reductions, you do it in a careful and thoughtful manner. And when you're dealing with issues that relate to the nuclear stockpile, the reliability of that stockpile, the responsibility for taking care of nuclear waste and meeting consent decrees and court orders and you're dealing with lives and property that relate to issues of flooding and things that affect lives and property literally, billions of dollars of commerce that we heard about earlier this afternoon from those who represent Missouri and the Mississippi, really the bedrock of, I think, 44 percent of our Nation's economy, making these types of cuts, while it may feel good, without having the benefit of what we have the benefit of, which is debate and input from some of the Nation's greatest experts as well as obviously people from the administration, there is no way that I would support this reduction.

I would be pleased to yield to the ranking member.

Mr. VISCLOSKY. I appreciate the gentleman for yielding.

I think you have stated the case well and do want to join with you in my strong opposition to the gentlewoman's amendment.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

Mrs. BLACKBURN. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentlewoman has 2½ minutes remaining.

Mrs. BLACKBURN. I yield 1 minute to the gentleman from Georgia (Mr. GRAVES).

Mr. GRAVES of Georgia. I thank the gentlelady.

I want to thank you for your amendment, because you bring forth such an incredible issue that we can't just stop with what was passed out of the Appropriations Committee. There are Members all across this body that had the opportunity to scour the legislation—and I'm on the committee—and to improve upon the legislation. That's exactly what she's doing here by offering additional cuts.

Mr. Chairman, I want to bring out the fact that in the House over the last five appropriations bills, there have been 250 amendments offered. Only 11 cutting amendments have been passed, and eight of these were by voice vote. So here on the floor of the House, and I guess I'm speaking to my colleagues in the Republican Party, we are not cutting any more than what comes out of the committee. So far, out of these five appropriations bills, there's been \$691 billion spent, and yet we've only cut \$304 million in addition to that.

Mr. Chairman, as I think about where we are, I brought the analogy and trying to put this in context of where we are as a Nation, that's 2 cents, just two pennies out of a gallon of gas. Just two pennies.

I leave you that—my 2 cents' worth on this appropriations bill.

Mrs. BLACKBURN. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. I thank the gentlelady for yielding.

I rise in support of this amendment. This is the last opportunity we have, really, to rein in spending that's literally bankrupting our country in this bill.

It's interesting. All the talk of the billions of dollars of subsidies that we continue to dole out to dubious enterprises are all unfulfilled promises of energy independence. You would think after 30 years those promises are starting to ring hollow. After 30 years of such promises, we're more dependent on foreign energy than when we began and even deeper in debt.

I rise also to draw to the attention of the House a provision of this measure relating to the Strategic Petroleum Reserve.

□ 1810

Under current law as that reserve is drawn down either for maintenance or for market manipulation, the proceeds from the oil must go back into the Strategic Petroleum Reserve. That guarantees that it's maintained in a constant state of readiness to provide for our national security. Whenever a dollar comes out of that reserve, a dollar has to be put back into it—until

this bill. There is a half-billion dollars going out of the Strategic Petroleum Reserve, not to replenish the reserve, but to fund additional spending in this budget. That is a scandal.

Mrs. BLACKBURN. Mr. Chairman, I would just remind my colleagues, all the issues we address are important issues, but as Admiral Mullen has said, "the greatest threat to our national security is our growing national debt."

We are calling for another \$306 million to be reduced from this bill. Ten conservative groups support this. Let's tighten our belts. Let's engage the bureaucracy. Let's put our country back on the path to fiscal health.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. BLACKBURN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Tennessee will be postponed.

AMENDMENT NO. 53 OFFERED BY MR. HARRIS

Mr. HARRIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act may be used to fund any portion of the International program activities at the Office of Energy Efficiency and Renewable Energy of the Department of Energy with the exception of the activities authorized in section 917 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17337).

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Maryland (Mr. HARRIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. HARRIS. Mr. Chairman, I will try to be brief because this amendment follows up on an amendment that was adopted by a voice vote by the Committee of the Whole just 2 days ago.

This amendment is the second part of the amendment I offered on Monday of this week. That amendment reduced funding by \$6 million from the EERE, and that would be enough to cut the funding that this amendment limits that would reduce funding for the international programs of EERE. It was an amendment endorsed by Citizens Against Government Waste.

The international programs are a subset of the EERE budget and do not have their own line item in an appropriations bill, so because of that, this limitation amendment would be required to properly implement the

spending reduction amendment, again, passed by the committee on Monday.

This amendment clearly states that no funds may be spent on the international program activities of the Office of Energy Efficiency and Renewable Energy, with the exception of the activities authorized in section 917 of the Energy Independence and Security Act of 2007. So we removed \$6 million in funding on Monday, \$8 million was recommended by the committee, therefore leaving \$2 million in the program. The United States Government has \$1.5 trillion in debt, borrowing 40 cents out of every dollar, and now is not the time to take our hard-borrowed dollars and spend them overseas.

This program literally—and I will read the programs funded under the international program—assists manufacturing facilities in China and India to reduce their energy use. Mr. Chairman, we should be keeping that money to help our factories reduce their energy use, not our international competitors. Improving energy efficiency in the Chinese building sector. Mr. Chairman, we should be improving our energy efficiency, not the Chinese building sector. Partnering with the Kazakhstan Government to provide training on industrial efficiency. Mr. Chairman, when we're borrowing this amount of money, we should be using it to promote our industrial efficiency, not the Kazakhstan Government.

Furthermore, it does things like help build windmills in Mexico. Now Mr. Chairman, we don't have the money to build windmills here, we have to borrow the money to do that. We shouldn't be borrowing money to build windmills in Mexico.

Again, this amendment implements the spending reduction already adopted on Monday.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. The amendment eliminates, as we know, international cooperative programs at the Department of Energy that focus on developing innovative energy technologies.

I appreciate and share the gentleman's concerns that activities that simply fund energy projects—like installing windmills—in other nations are not an appropriate use of taxpayer dollars. There is nothing in this program that funds windmills, with all due respect. This is especially true when we must rein in spending and eliminate waste all around. But this is a good example of when a scalpel is needed to save the worthwhile programs instead of a blunt instrument that eliminates the entire program.

The gentleman is correct that this program includes several small activities that the United States should not bankroll. However, many of the large

activities in this program not only engender good will in countries like China, India, and Brazil—and Kazakhstan, which has been a tremendous ally in the war on terror—but they also increase economic activities abroad.

The energy sectors in China and India are increasing by leaps and bounds. In just the last 10 years, China's energy consumption has more than doubled. China and India and other nations' energy sectors represent an enormous economic opportunity for whoever will develop and supply energy technologies used in these rapidly growing countries. Cooperative programs eliminated by this amendment help the U.S. industry and researchers gain access to these booming markets. These programs don't cost much, but they leverage much more in international contacts and economic opportunities. For this reason and many others, I oppose the amendment.

I yield to the ranking member, the gentleman from Indiana.

Mr. VISCLOSKY. I appreciate the gentleman yielding and would join him in his opposition to the gentleman's amendment.

Again, I think the chairman has stated the proposition very well, but I would point out that the program's technical assistance activities really do help prime markets for clean technologies in major emerging economies to support and encourage U.S. exports.

So again, I am opposed to the amendment and appreciate the gentleman yielding.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

Mr. HARRIS. Mr. Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman has 2½ minutes remaining.

Mr. HARRIS. Mr. Chairman, just so we dispel any misconceptions that the committee might hold about what these programs are, let me read from the EERE Web site, because we were saying these are developing countries. Well, China is not a developing country, Mr. Chairman. This is what it says: "The U.S. Department of Energy today announced \$1 million in available funding to train energy assessors who will assist manufacturing facilities in China and India to reduce their energy use." Mr. Chairman, those aren't my words; they're the words of the Department that is asking for funding, for us to borrow money from China so that we can go to China to "reduce their energy use."

It goes on to say, "The EERE engages in multiple technology and policy efforts to improve energy efficiency in the Chinese building sector." These aren't my words, Mr. Chairman; these are the words of the DOE that wants us to borrow money from China to spend money in China to improve energy efficiency in the Chinese building sector.

Let's go further on. It says, "EERE partnered with the Kazakh Govern-

ment to provide training on Save Energy Now industrial efficiency." In Kazakhstan. I would offer that if we want to do foreign aid, that we do it in the Department of State budget.

With regards to these cooperative programs, they're not zeroed out. The chairman should know that these programs are partially funded through the Department of State, and we don't affect the Department of State budget in this appropriation. What we do say is the Department has egregiously spent American taxpayer dollars. They are wasting taxpayer dollars. And with regards to wind power and windmills, I don't know what they're building in Mexico, but let me read from their Web site—not my words, their Web site: "EERE is involved in several projects currently underway, including wind energy in Mexico." Now Mr. Chairman, unless there is something else beside windmills that uses wind energy, the Department says they are involved in projects involving windmills in Mexico.

This country can't afford to make Chinese factories energy efficient and to build windmills in Mexico when we are borrowing 40 cents out of every dollar.

Mr. Chairman, I urge adoption of this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. HARRIS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HARRIS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Maryland will be postponed.

□ 1820

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I yield to the gentleman from Ohio.

Mr. RENACCI. Mr. Chairman, I rise for the purpose of asking the gentleman from New Jersey, the subcommittee chairman, to engage in a colloquy on the importance of solid oxide fuel cell technology and the need to maintain sufficient funding levels for research and development of this critical asset.

Mr. Chairman, I first want to commend you on the fine bill. This bill, which I know was full of difficult choices and competing priorities, comes in more than 16 percent less than the administration's request, marking a clear commitment to fiscal discipline and restraint. I understand that within the Fossil Energy Research and Development account the committee has appropriated \$25 million for the research, development, and demonstration of solid oxide fuel cells.

Is my understanding correct, Mr. Chairman?

Mr. FRELINGHUYSEN. The gentleman from Ohio is correct. As the committee states in the report accompanying H.R. 2354, we believe solid oxide fuel cell systems have the potential to substantially increase the efficiency of clean coal power generation systems, to create new opportunities for the efficient use of natural gas, and to contribute significantly to the development of alternative fuel vehicles.

Mr. RENACCI. If the gentleman will continue to yield, I appreciate his kind words about this particular innovative technology.

I believe that properly funding solid oxide fuel cell systems is an important step towards an all-of-the-above energy policy. The technology will help increase American energy capacity, reduce emissions, reduce our dependence on imported oil, and encourage the sustainable use of domestic hydrocarbons, including coal, oil, and natural gas, particularly newly discovered shale gas in the Marcellus and Utica formations located within my home State of Ohio.

It is my understanding that the Department of Energy's Solid State Energy Conversion Alliance, or SECA, is a model example of a public-private partnership that creates jobs, promotes private investment, and enhances our energy security. It is also my understanding that preserving the current funding level is paramount in protecting over 700 existing SECA-related private sector jobs. Moreover, ensuring timely commercialization of this technology will provide the basis for broader domestic economic growth, potentially paving the way for creating thousands more high-tech, high-skilled American manufacturing jobs.

Does the chairman agree with this understanding?

Mr. FRELINGHUYSEN. I want to assure the gentleman from Ohio of my agreement with the economic, environmental, and energy security benefits of this technology and that I will work to maintain this already reduced funding level as the Energy and Water Development appropriations bill moves forward.

Mr. RENACCI. I appreciate the gentleman's commitment to this technology and to working to ensure that this funding level, approximately 50 percent less than in fiscal year 2011, is not needlessly reduced any further for the coming fiscal year.

I again thank the gentleman from New Jersey and the ranking member from Indiana for their hard work on this bill.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

AMENDMENT NO. 21 OFFERED BY MR. LUETKEMEYER

Mr. LUETKEMEYER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used for the study of the Missouri River Projects authorized in section 108 of the Energy and Water Development and Related Agencies Appropriations Act, 2009 (division C of Public Law 111-8).

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Missouri (Mr. LUETKEMEYER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. LUETKEMEYER. Mr. Chairman, the Missouri River basin is currently facing some of the worst flooding in its history. This devastation, combined with the ongoing economic crisis and our aging inland waterways infrastructure, means that now, more than ever, we must be focused and responsible with taxpayer-funded river projects.

My amendment would prohibit funding for the Missouri River Authorized Purposes Study, also known as MRAPS. This \$25 million earmarked study comes on the heels of a comprehensive \$35 million, 17-year study completed in 2004 that showed that the current authorized purposes are important and should be maintained.

For river communities, few issues are as important as flood control, water supply, power, and navigation. People in these communities rely on the river for their livelihoods and will do so today, tomorrow, and long after the floodwaters have receded.

This Congress and this administration need to focus on protecting human life and property and maintaining the safety and soundness of our levees. We also must support the important commercial advantages provided to us by our inland waterways system.

The Missouri River moves goods to market and is an important tool in both domestic and international trade. That's why the National Corn Growers Association, the American Waterways Operators, the Coalition to Protect the Missouri River, and the Missouri Farm Bureau support this amendment.

This study puts in jeopardy the lower Missouri and the Mississippi rivers, which could result in devastating consequences for navigation and transportation, resulting in barriers for waterways operators, agriculture, and every product that depends on the Missouri and Mississippi rivers to get to market.

The current authorized uses of the Missouri River provide necessary resources and translate to continued economic stability not only for Missourians but also for many Americans living throughout the Missouri and Lower Mississippi River basins.

We've said we want to focus on creating and maintaining jobs. This Congress is on the brink of passing three major trade agreements, and the ability of our inland waterways to transport manufactured and agricultural goods, goods purchased and grown by Americans, is as important as it ever has been.

This study is duplicative and wasteful of taxpayer dollars. On this exact issue we've already spent 17 years and \$35 million on hundreds of public meetings and extensive litigation. I offered identical language during our first debate on the fiscal year 2011 continuing resolution. That amendment passed by a vote of 245-176. I appreciate my colleagues who offered their support and hope to have their support again.

While there is no funding in the underlying bill for MRAPS, I will remind my colleagues that in committee an amendment was adopted to allow the Corps of Engineers to use and receive non-Federal funds to continue and complete ongoing Federal studies. The need for my amendment is as urgent as ever.

With that, I yield 1 minute to the gentleman from Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. Mr. Chairman, I rise in support of amendment No. 21, sponsored by my friend and colleague from Missouri.

This amendment is a commonsense idea to save tax dollars and ensure that the Missouri River focuses on protecting human life and property. It ensures \$25 million of taxpayer dollars won't be wasted on a second study of the purposes of the Missouri River. A 17-year, \$35 million study was just completed in 2004 to look at the purposes of this river. We don't need a second study, and we don't need to squander the taxpayers' money in this way.

Think about how much money is proposed for this study: \$25 million. That's a lot of money. As a commonsense person from Missouri, I have to ask: How does government spend that much money on a study? \$500,000 is a lot of money where I come from. How about \$1 million or \$2 million? Think of what the average family could do with \$1 million or \$2 million. But this study thinks that's not enough. It wants \$25 million to study a river that's already been studied.

Now is the time for common sense. Now is the time for fiscal sanity. Now is the time to stop spending money we don't have on things we don't need.

Mr. LUETKEMEYER. Mr. Chairman, I now yield 1 minute to the gentleman from Missouri (Mr. AKIN).

Mr. AKIN. The lady before me said it so eloquently and so simply: Why do we want to spend a whole lot of money? We're already in a crisis now. Huge debates about how are we going to control Federal spending. And here we find this proposal to drop another \$25 million to do a study that we have already done before.

First of all, we could save a lot of money in this, and that's a good idea. Of course, why is it that somebody would make the proposal after we've done a study that's supposed to work for 17 years and want to do it all over again? Well, it's because they didn't like the results of the first study, quite obviously.

What did the study prioritize? Well, it prioritized, first of all, protecting

human lives. That's not exactly a bad prioritization. And that's in the context of flood control. But it also talked about their livelihoods, not just their lives but their livelihoods. And that was the transportation part. That should also be a part of what the Missouri River is about. And of course the water supply and the safety. Now the proposal is to make the priorities on something else.

Look, the Missouri River is a great resource. We need to use it that way and prioritize our people, their property, and their prosperity.

Mr. LUETKEMEYER. I yield back the balance of my time.

The Acting CHAIR. Who seeks time in opposition?

The question is on the amendment offered by the gentleman from Missouri (Mr. LUETKEMEYER).

The amendment was agreed to.

□ 1830

AMENDMENT OFFERED BY MR. LUETKEMEYER

Mr. LUETKEMEYER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. _____. None of the funds made available in this Act may be used to continue the study conducted by the Army Corps of Engineers pursuant to section 5018(a)(1) of the Water Resources Development Act of 2007.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Missouri (Mr. LUETKEMEYER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. LUETKEMEYER. Mr. Chairman, in recent months the Midwestern United States has been pummeled by severe weather that has destroyed land, homes, and even lives, particularly along the Missouri and Mississippi Rivers. Citizens living in communities along the Missouri River have endured what is beginning to be referred to as the worst flooding in history.

Just in this year alone, millions of taxpayer dollars have gone towards environmental restoration and recovery programs, while operations and maintenance of our infrastructure has been terribly neglected. Because of this neglect, this year's record rainfall, snowfall, and subsequent snowmelt have created extremely dangerous conditions that are growing more serious with each passing day.

President Obama in his fiscal year 2012 budget requested more than \$72 million for the Missouri River Recovery Program, which would primarily go towards the funding of environmental restoration studies and projects. This funding dwarfs the insufficient \$6.1 million that was requested for an entire operations and maintenance fund that supports the area covering the entire region from Sioux City to the mouth of

the Missouri in St. Louis. It is preposterous to think that environmental projects are more important than the protection of human life.

The Missouri River Ecosystem Restoration Plan, or MR-ERP, is slated to receive \$4 million of the more than \$72 million in Federal funding that will go towards the Missouri River Recovery Program. This program is only one of the many Missouri River ecosystem recovery programs funded by American taxpayers, and MR-ERP is one of no fewer than 70 environmental and ecological studies focused on the Missouri River. The people who have to foot the bill for these studies and projects, many of which take years to complete and are ultimately inconclusive, are the very people who are at risk of losing their farms, their businesses, their homes, and even their lives today.

I do not take for granted the importance of river ecosystems. I grew up near the Missouri River, as did many of the people I represent in Congress. But we have now reached a point in our Nation where we value the welfare of fish more than the welfare of human beings. Our priorities are backwards.

My amendment, supported by the Coalition to Protect the Missouri River and the Missouri Farm Bureau, proposes a prohibition of funding for the MR-ERP program. The end of the study will in no way jeopardize the Corps' ability to meet requirements under the Endangered Species Act. What this amendment will do is eliminate one of the many ecosystem studies along the river, a study that has become little more than a tool of the administration for the promotion of the return of the river to its most natural state, with little regard for navigation, trade, power generation, or the many people who depend on the Missouri River and adjacent lands for their livelihoods. This study has the potential to result in river management that is environmentally driven rather than focused on balancing the needs of the environment with those along the river and our wonderful communities.

We've seen this same scenario played out on a nationwide basis. The result is increased unemployment, reduced trade, economic depression, and sometimes questionable environmental results.

Mr. Chairman, should the funding for MR-ERP go forward, we must stop and think about what we are doing. I urge my colleagues to support this amendment, to support our Nation's river communities.

I yield 1 minute to the gentlewoman from Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. Thank you, Representative LUETKEMEYER.

I rise today in support of this amendment. Like he said, this amendment is about priorities. What is important? Or better yet, who is important? I would contend that people are important, people along the Missouri River, people who are seeing their homes flooded and their livelihoods destroyed due to

flooding. Crops, businesses, and homes are underwater as levees have been breached and overtopped in parts of Missouri.

Now is the time to refocus our attention on what matters as we manage the Missouri River. We need to protect people and property. The President's 2012 budget, as Representative LUETKEMEYER said, requested \$72 million to "recover" the river for two birds and one fish, but only \$6.1 million for operations and maintenance on the levees from Sioux City to St. Louis. Now, that's an example of wrong priorities.

This amendment ensures that the Corps of Engineers continues to focus on people and keep flood control and navigation as the focus. It's time to get our priorities back and to save tax dollars while we're doing it. That's a good combination.

Mr. LUETKEMEYER. I reserve the balance of my time.

Mr. VISCLOSKEY. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKEY. Mr. Chairman, I do rise in opposition to the amendment offered by the gentleman from Missouri. The WRDA 2007 Act, which was passed with such bipartisan support that it overcame a Presidential veto, authorized the Corps to undertake the Missouri River Ecosystem Restoration Plan and develop the Missouri River Recovery Implementation Committee to consult on the study. This authority provided a venue for collaboration between the 70-member stakeholder group of tribes, States, affected groups, and Federal agencies to develop a shared vision and comprehensive plan for the restoration of the Missouri River ecosystem.

By prohibiting the Corps from expending any fiscal year 2012 funding on the study, this amendment will result in a scheduled delay of the study, potentially additional start-up expenses and schedule impacts, and potential erosion of trust of the delicate partnership in this basin. There also could be legal implications associated with the National Environmental Policy Act if funding were prohibited for this study in the longer term. A 1-year prohibition would not allow work described above to be done and could push the entire schedule of the report out.

I also do believe that it places the Army Corps in jeopardy of not being in compliance with the act, which could also adversely affect their operation of the dams on the waterways. In the long term, the study represents the required programmatic NEPA coverage for the Missouri River Fish and Wildlife Recovery Project; and 13 Federal agencies, eight States, and 15 tribes have formally agreed to cooperate with the agency under the act. The fact that this was authorized in 2007 in an overwhelming fashion, that you have had this collaboration, and there are risks

involved in adopting the gentleman's amendment, I would urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. LUETKEMEYER. I yield myself the balance of my time.

The Acting Chair. The gentleman is recognized for 30 seconds.

Mr. LUETKEMEYER. Mr. Chairman, very quickly, I think I understood the gentleman to say that this would affect some of the Corps' operations. This will in no way affect the Corps' operations whatsoever. This is a study that does nothing more than dictate how some things should be done after the study is over with. And in Missouri, our experience with these kinds of studies is such that we always come out on the short end.

We have farmers, and businesses, and communities along the river right now who have been dramatically impacted by previous studies which have protected fish and birds over the welfare of our citizens, our communities, and our businesses.

I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I would suggest that my colleague's relief stands with the authorizing committees. We have a law in place since 2007. Perhaps he might want it amended through the authorization process. At this point in time, I think it is unwise policy to slow this study down and would ask my colleagues to oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Missouri (Mr. LUETKEMEYER).

The amendment was agreed to.

□ 1840

AMENDMENT NO. 70 OFFERED BY MR. BURGESS

Mr. BURGESS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, before the short title, insert the following new section:

SEC. ____ . None of the funds made available in this Act may be used—

(1) to implement or enforce section 430.32(x) of title 10, Code of Federal Regulations; or

(2) to implement or enforce the standards established by the tables contained in section 325(i)(1)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6295(i)(1)(B)) with respect to BPAR incandescent reflector lamps, BR incandescent reflector lamps, and ER incandescent reflector lamps.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Texas (Mr. BURGESS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Earlier this week, 233 Members of this body, our colleagues, voted in repealing the 100-watt light bulb ban. This ban comes as a result of the 2007 energy legislation that in-

cluded a provision that regulates what type of light bulb the American people may buy and may use in their homes. The Federal Government has no right to tell me or any other citizen what type of light bulb to use at home. It is our right to choose.

Clearly a majority of this body, 233 Members, agree with the American people. Stay out of the decisionmaking and give the choice back to the consumer. Consumers want the 100-watt light bulb, and some consumers need the 100-watt light bulb.

Now after our debate earlier on the floor this week I got this message from a constituent named Dave. Dave wrote: I need my 100-watt light bulb to do the type of work that I do. It is very detailed work. I need to see my work with a 100-watt light bulb, and sometimes I use a 200-watt light bulb. It is necessary. I cannot do my work with less wattage because I have to strain my eyes to do my work and that causes me headaches, and then I am unable to work. Those types of light bulbs, 100-watt light bulbs, are like having sunshine at your home and at your work bench. LEDs do not suffice. Neons don't work, nor any other type of new-tech bulbs that are so-called energy savers, and I don't want to purchase those lights that have mercury in them. Nobody should have the right to dictate what types of lights we buy and use in our homes. I cannot read the very fine, small print of some of the product labels using those weak light bulbs. Stop that ban on those light bulbs that will serve us well with proper light for working on very detailed projects and reading product labels that have very small print.

That is what Dave said. Dave should have the right to choose what sort of light bulb he uses when doing his work at home.

Now, look, I work in a Federal building. I understand the Federal Government gets to tell me what type of light under which I must work in that Federal building. But when I go home at night to read my Denton Record Chronicle, I should be able to choose what type of light I use for that illumination.

In 2010, the last major GE factory that manufactured the incandescent light bulb closed its doors as a result of the reckless 2007 legislation, and as a direct result 200 people lost their jobs. This wasn't the only plant to close as a result of that 2007 legislation.

These policies kill jobs. It's the clearest example of how real consequences affect real people with this reckless legislation. These jobs are being sent overseas. General Electric has said that the new lights cost about 50 percent more to make in the U.S. than in China.

The overregulating government policies have to stop. It would not only be better for the environment and our pocketbooks, but it would bring those jobs back to America.

My amendment at the desk would give Dave his choice of light and would

allow every other American to choose, yes, choose what light bulb they want to use when they are in the comfort of their own home.

I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I support the amendment of the gentleman from Texas. I am pleased to do so.

Mr. BURGESS. I reserve the balance of my time.

Mr. VISCLOSKY. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. As the gentleman pointed out, we had this debate earlier this week on the House floor. I would point out that the performance standards for light bulbs were established in an act in 2007. It's the law of the land.

At that time the bill enjoyed strong bipartisan support, with 95 House Republicans voting for final passage and the bill being signed into law by President George Bush.

As far as I am aware, the issues that inspired this standard have not changed and, if anything, have gotten worse. Families continue to struggle every day to meet rising energy bills and there are real savings to be had by moving to more efficient illumination.

It is estimated that efficient lighting will save the average American family around \$100 every year. Further, while claiming that the incandescent bulb is dead makes for a good sound bite, it doesn't affect reality. As a result of the 2007 law, manufacturers are already making a variety right of new energy-saving bulbs for homes, including more efficient incandescent bulbs.

These bulbs look, light and turn on like those we have used for decades, but are 28 to 33 percent more efficient. What we are talking about here is a standard, not the definition of a discrete bulb.

This progress has been made because of the standard and goals that were set in that bill. I do not think it is time to turn the clock back. I do think we ought to enjoy these energy savings, and I am opposed to the gentleman's amendment.

I reserve the balance of my time.

Mr. BURGESS. The fact is, the United States Congress, the Federal Government, should not pick winners and losers. Yes, there is new technology. It didn't happen as fast as the proponents of this legislation articulated in December of 2007, and the technology that was promised for 5 years later, which is now, in fact, has been slow to develop, but it will develop and then let them meet in the marketplace.

Let the consumer decide. Let the consumer pick the winners and losers in this argument, not the United States Congress, not the Federal Government.

We had no business restricting the sale of the 100-watt light bulb. We had no business restricting what light people should use in their homes. This is

one time we should back off and let the American people make the choices that are right for them.

I yield back the balance of my time.

Mr. VISCLOSKEY. Mr. Chairman, I would simply say again we are talking about a standard that was adopted under law in 2007. We ought to try to achieve that standard to save energy in this country.

I remain opposed to the gentleman's amendment. I would ask my colleagues to vote "no."

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. BURGESS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. BURGESS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 80 OFFERED BY MR. CRAVAACK

Mr. CRAVAACK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, before the short title, insert the following:

SEC. _____. None of the funds made available in this Act may be used to develop or submit a proposal to expand the authorized uses of the Harbor Maintenance Trust Fund described in section 9505(c) of the Internal Revenue Code (26 U.S.C. 9505(c)).

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Minnesota and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. CRAVAACK. Mr. Chairman, in March of this year, Jo-Ellen Darcy, Assistant Secretary of the Army for Civil Works, testified before the House Subcommittee on Water Resources and the Environment that the administration is preparing to plan draft legislation to expand the scope of projects eligible to receive Harbor Trust Fund moneys.

In the hearing, Assistant Secretary Darcy alluded to the Administration's interest in using Harbor Trust Fund moneys for port security, among other things.

While I fully support funding port security through the general appropriations process, I oppose the efforts to divert Harbor Maintenance Trust Fund moneys until the Federal Government demonstrates it has fully used these trust funds to their intended purpose, and that is dredging.

As many of you know, the Harbor Maintenance Tax is an ad valorem tax assessed on the maritime shippers that use America's ports. By law, revenues of this user tax are to be dedicated to the United States Army Corps of Engineers' operations and maintenance budgets to ensure American navigation

channels remain dredged to their authorized depths and widths.

Despite the significant revenues and the roughly \$6 billion supposed balance in the Harbor Maintenance Trust Fund, our Nation's maritime infrastructure has largely fallen into disrepair.

Only one-third of our Nation's navigation channels are at their authorized depths and widths. Portions of the important Atlantic Intracoastal Waterway have been closed to commercial navigation due to lack of maintenance dredging. Eight out of the ten of our Nation's largest harbors are not dredged at their authorized depths and widths.

Mr. Chairman, make no mistake, this has a direct impact on American job creation and prosperity. When American ships have to "light load" to clear the shallowest channel, American economic productivity is lost.

For example, for each inch silted in, the American Laker fleet collectively, per voyage, leaves 8,000 tons of Minnesota ore on the docks in Duluth. That's enough to produce over 6,000 cars. I know I don't have to tell the ranking member and fellow Steel Caucus member what this means.

Moreover light loading causes increased transportation costs for our exports, decreases our national economic competitiveness. Every billion dollars in exports, Mr. Chairman, translates to 15,000 American jobs.

Given the economic straits we are in it is imperative we don't hold back American business with increased transportation costs caused by unmaintained channels.

□ 1850

We must, Mr. Chairman, ensure that the moneys intended for dredging are not siphoned off for other programs. My amendment will prohibit moneys from being used by the administration to develop a plan or draft legislation to expand the scope of the projects eligible to receive Harbor Maintenance Trust Fund moneys.

American shippers are taxed specifically to maintain the channels they, and our Nation, depend on. It is imperative that we ensure that harbor trust fund moneys be spent as they are intended, thereby ensuring American competitiveness and the proliferation of American jobs.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Let me thank the gentleman for his amendment and tell him that I'm pleased to accept it. I know that you included the fact that you wouldn't have to tell the ranking of the important purpose of your amendment. I also share those same sentiments. We don't want to downgrade the purposes for the harbor maintenance fund from the express purposes now. There are too many pri-

orities that are out there. We don't need to expand them.

I'm very pleased to lend my support.

I yield to the gentleman from Indiana.

Mr. VISCLOSKEY. I appreciate the gentleman yielding. I associate myself with your support of the amendment.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

Mr. CRAVAACK. I thank the gentleman for their kind comments, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. CRAVAACK).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ROHRABACHER

Mr. ROHRABACHER. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following new section:

SEC. 609. Of the funds made available by this Act for carrying out section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513), the amount of funds made available by the Secretary to carry out projects described in subsection (b)(5) of that section shall not exceed the amount of funds made available by the Secretary to carry out projects described in subsection (b)(4) that use coolants different from those commercial technologies that are in service at the time the guarantee is issued.

Mr. FRELINGHUYSEN. I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. The gentleman from The New Jersey reserves a point of order.

Pursuant to the order of the House of today, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, I rise in support of my amendment which would require that the amount provided for in title 17 of the Energy and Water development appropriations bill for loan guarantees for advanced nuclear energy facilities be equal to or exceed that for loan guarantees targeted for carbon capture and sequestration projects.

In laymen's terms, my amendment would specify that we cannot use more funds in this act for loan guarantees for carbon capture and sequestration projects than we make available for projects using nuclear technologies such as small modular gas-cooled reactors.

The purpose for this is simple. These new technologies hold significant promise of meeting our ever-increasing energy needs with safe, clean, reliable, cost-effective, proliferation-resistant noncarbon-producing American-built nuclear reactors.

As a member of the Science Committee, I, along with my colleagues, have studied this technology over the past 7 years. And let me note, the bureaucracy has studied this technology almost to death. Well, the time has

come for that study to be left behind. It's time for the study to be over, and it's time for us to act. There are commercial companies out there right now trying to bring these technologies to market, and this amendment will help make this a reality.

I would like to also note that the GAO and the committee have stated that there is a lack of transparency in this loan guarantee program. We cannot expect to perform proper oversight without knowing where and how these funds are being used, and it is critical that we become more specific in stating how we intend the funds to be used. And that's what this amendment would do.

It would also be important that we require the administration to report back to Congress with a full explanation of how these funds are being used. Thus I ask for support for this amendment.

The Acting CHAIR. Does the gentleman from New Jersey continue to insist on his point of order?

Mr. FRELINGHUYSEN. I do.

The Acting CHAIR. The gentleman reserves his point of order.

Who seeks time in opposition?

Mr. FRELINGHUYSEN. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise in opposition to the gentleman's amendment. But may I say I have always found him to be very thoughtful and considerate, and I know that he is extremely knowledgeable about this and is committed to the whole issue of taking a look at these types of loan guarantees.

When we put together our bill, we had several guiding principles, and chief among them was to get the Federal Government out of the private sector's way. You should understand that.

The loan guarantee program is at the heart of that debate, and our bill begins to ramp down this temporary program while including funding to help new technologies so that the private sector could take them over. The gentleman's amendment, however, appears to dictate which technology should receive funding through this program and which should not.

Mr. Chairman, responsible private sector entities have sunk literally hundreds of millions of dollars into their applications; and this amendment would, I think, potentially cut off those applicants, despite their investments in good faith efforts. And even more importantly, however, the amendment would determine which technologies win and which would lose. I don't think in our committee or in this Congress we should be determining the winners and losers. We should let the market decide.

So I would ask my colleagues to oppose the amendment.

I yield back the balance of my time.

POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I do insist on my point of order.

The Acting CHAIR. The gentleman will kindly state his point of order.

Mr. FRELINGHUYSEN. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: "An amendment to a general appropriation bill shall not be in order if changing existing law."

The amendment requires a new determination.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to be heard on the point of order?

The gentleman from California is recognized.

Mr. ROHRABACHER. I believe that it is Congress' job to make decisions. We are the ones who should be actually designating exactly where money is going. I'm a senior member of the Science and Technology Committee. We have studied this issue directly, and this is my recommendation. And I think that what we're supposed to do here is make sure that rather than having money, saying we can just spend all we want in sequestration and accepting that alternative, that we must designate what we think is the best use and most efficient use of the taxpayer money. That sounds within the rules to me.

The Acting CHAIR. The Chair is prepared to rule on the point of order.

The Chair finds that this amendment includes language requiring a new determination of whether a certain type of coolant is used on a project. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. ROHRABACHER

Mr. ROHRABACHER. I have another amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following:

SEC. 609. None of the funds made available by this Act may be used to carry out projects described in section 1703(b)(5) of the Energy Policy Act of 2005 (42 U.S.C. 16513(b)(5)).

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROHRABACHER. I rise in support of my amendment which would require that none of the funds provided for in title 17 of the Energy and Water development appropriations bill be used for the purposes of providing loan guarantees for "carbon capture and sequestration projects." If you think that carbon capture and sequestration is an important goal—and I'm sure there are some people who believe it is.

Let me just note that I do not believe that, and I think that having heard the debates that have been going on about this particular issue over the years, that there are large numbers of my colleagues who do not believe that as well.

Well, if you do not believe in carbon sequestration and capture as an important goal, then I would suggest that the best sequestration—if you really believe that we must sequester carbon and that that is an important goal, then let me suggest this, and that's what my amendment is all about: it's better to leave the oil and coal in the ground if that's what you really want to do is capture this carbon and sequester the carbon and capture it.

□ 1900

And I would suggest that the best way to do that is by promoting new nuclear technologies such as the new, inherently safe, small, modular nuclear reactors, especially those that do not use water as a coolant. We can provide all the clean, safe electricity that we need. And I would hope that any funds that the Secretary might have, in terms of his opinion, determined to use in carbon capture and sequestration, instead that the Secretary will use that limited amount of money that he has available to him on a positive program that will permit us an alternative to oil and gas. I personally, however, do not believe that oil and gas necessarily and the capture of carbon sequestration is an important goal; but if you do, you should be supporting—instead of basically using that as an expensive tool that will hurt the economy, we should be using the funds that are available instead to promote this positive alternative of nuclear energy, especially the high-temperature, gas-cooled reactor.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. As I said earlier, respectfully, I still think this amendment, as with the previous one, is an issue where we are determining winners and losers, and I believe the market should decide.

Let me say, the committee is strongly supportive of the whole issue of development of small, modular nuclear reactors, and it is amazing how much interest there is out there. There is incredible ingenuity that is going into it.

We do have support for nuclear loan guarantees. I think there is \$11 billion in unused funds and \$6 billion for fossil fuels. We have money available for the development of these types of technologies which hopefully you will find to be reassuring.

But for reasons I said earlier, without repeating myself again, I oppose your amendment at this time.

I yield back the balance of my time.

Mr. ROHRABACHER. How much time do I have remaining, Mr. Chairman?

The Acting CHAIR. The gentleman has 2½ minutes remaining.

Mr. ROHRABACHER. Mr. Chairman, let me just suggest that, again, we should be taking responsibility, especially when we see something as important to the American people as the issue of energy, especially clean energy, and how we are going to make sure that it is supplied to the people of the United States.

Specifically designating that these funds won't be used for sequestration and carbon capture, I mean, that seems to me that is what we should do. We should determine whether or not we believe this is an appropriate use of government funds. I suggest that it is not, especially when we have alternatives that are available to us, like these new technologies in the nuclear field, that can give us what we need in terms of not producing carbon and making sure that you don't even need sequestration then. If you have those alternatives, then we shouldn't be spending the money on this other approach, on the carbon capture and sequestration approach. That makes sense to me.

We need, as Members of Congress, to set these type of parameters on the spending of our limited dollars in a way that will have the most positive impact, and the carbon capture and sequestration concept is not the best way to spend our money when we have these other alternatives.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ROHRABACHER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. ROHRABACHER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT OFFERED BY MR. ROHRABACHER

Mr. ROHRABACHER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following:
SEC. 609. Not less than 10 percent of the funds made available by this Act for carrying out section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513) shall be available for carrying out projects described in subsection (b)(4) of such section that use coolants different from those commercial technologies that are in service at the time the guarantee is issued.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to the order of the House of today, the gentleman from California (Mr. ROHRABACHER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, I rise in support of my amendment, which would support advanced nuclear reactors, particularly those reactors that do not use a light water coolant, which happens to be technology used for decades and seems to be what certain members of the business world are trying to foist off on the American people. No, it is time to upgrade, to update, and innovate.

Since I understand that a point of order has been raised against this amendment, I intend to withdraw it. But before I do so, I would like to make some remarks as to why it is important for these new reactors to come forward.

As I stated earlier, these new technologies, such as the high-temperature, gas-cooled reactors hold significant promise of meeting our ever-increasing energy needs with safe, clean, reliable, cost-effective, noncarbon-producing, proliferation-resistant, American-built nuclear power plants. A number of our commercial companies out there right now are ready to bring forth this cutting-edge nuclear technology and put it on the market and create new, high-tech private sector jobs for the American people. Their success should be our goal.

There is some mention of these technologies in the committee report. I am very grateful for that, but I would like to draw attention to why these are so vitally important for our country.

First of all, the small modular nuclear reactors, especially those that do not rely on decades-old light water coolant systems, exemplify the next wave of nuclear power, and we should pursue it far more aggressively than we are today. Specifically, we should be more aggressively pursuing the next generation nuclear plant and make the best use of the technologies that have been developed which include inherently safe reactors that don't require extraneous engineered safety devices to protect the public. We have a new level of safety that is almost unimaginable in these new reactors. We should understand that we need the high fuel burn-up rates that will greatly reduce the proliferation concerns. So we have reactors now that will be available that will not leave the residue and the leftover material that can be turned into nuclear weapons.

We also have reactors that are modular, scalable, and can be delivered on the back of a truck. This would make them far more economical and far more feasible for various communities throughout the world. Read that, we can manufacture these somewhere in America and transport them around the country or around the planet.

The Department of Energy should encourage and partner with industry to build working reactor prototypes using these technologies to provide the data required for commercial licensing.

The Nuclear Regulatory Commission should encourage applications from private companies for the purpose of

building working commercial reactors incorporating these new technologies. The NRC should also consider these applications immediately upon receiving them and expedite the processing.

□ 1910

Ideally, the NRC should be able to complete the process within 2 years of the receipt of the initial application. That should be more than a goal. That should be a commitment.

I hope I've made it clear how vital these technologies are to our energy future. We are either going to lead the world in the nuclear arena or we are going to be left behind as a country.

Now, I understand that there is a technical problem with this amendment, but I would like to make sure that my colleagues understand the significance of this new technology.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MRS. ADAMS

Mrs. ADAMS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following:
SEC. 609. None of the funds made available by this Act may be used by the Department of Energy for maintaining, developing, or creating any Web site which disseminates information regarding energy efficiency and educational programs on energy efficiency specifically to children under 18 years of age, including the current Web site operated by the Office of Energy Efficiency and Renewable Energy titled Kids Saving Energy and the current Web site operated by the Energy Information Administration titled Energy Kids.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Florida (Mrs. ADAMS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mrs. ADAMS. I rise today in support of my amendment to H.R. 2354, which would eliminate wasteful spending at the Department of Energy.

Why did the foolish gardener plant a light bulb? He wanted to grow a power plant.

How did Benjamin Franklin feel when he discovered electricity? He was shocked.

Mr. Chairman, what's shocking about this is how our hard-earned taxpayer dollars are being used. While some may find these jokes humorous, there are those of us who don't believe it's funny. There is nothing funny about the source of wasteful funding for these jokes. These riddles, along with numerous others just like it, are displayed on the U.S. Energy Information Administration's "Energy Kids" Web site, as seen here. This Web page also has Sudoku and crossword puzzles about greenhouse gases and coal power. These riddles and games are being paid for by

you, the taxpayer, at a time when our country is facing enormous debt.

In November, the American people sent a resounding message to Congress, calling on them to stop wasteful spending and to prioritize Federal dollars towards job creation. With our Nation facing a \$14.3 trillion debt, this is the kind of wasteful spending we must stop. Rather than using taxpayer dollars to reduce energy prices for all Americans, the Department of Energy has instead decided to spend your hard-earned taxpayer dollars towards creating and maintaining this Web site.

This Web site is not the only Web site of its kind. There are others just like it. The Office of Energy Efficiency and Renewable Energy maintains a "Kids Saving Energy" Web site. This Web site has videos with Tinker Bell telling children to use energy-saving light bulbs and quizzes asking children how many kilowatt hours an average U.S. home uses each month. While I have no problem with Tinker Bell—I am a huge supporter of Disney World, which is just outside my district—I do have a problem with wasteful government spending, and that's where the problem lies.

In this tight economy, Congress must prioritize funding, and these Web sites are a blatant misuse of taxpayer money. Now, Mr. Chairman, I recently asked Secretary Chu how much money the Department of Energy spends to maintain and operate these Web sites, but the Secretary refused to provide the amount. In today's economy, Congress and the Department of Energy should be squarely focused on reducing our national deficit, encouraging job creation in the private sector and making energy more affordable for American families.

My amendment would ensure that no Federal funds in the underlying legislation may be used to maintain, develop or create these and other similar Web sites, and I would encourage you to support this amendment.

I reserve the balance of my time.

Mr. VISCLOSKY. I rise in opposition to the gentlewoman's amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. Mr. Chairman, there is a Web page that has been described by the proponent of the amendment at the Energy Information Agency. Over the past 12 months, the Web site has had over 26 million visitors. There are 224 million pages of information. It is not an underutilized site. The fact is that young people access the kids' page more than any other one on this Web site, visiting 16 million pages. "Energy Kids" gets nearly 10 times as many hits, if you will, as the adult version.

The gentlelady talks about puzzles and other very elementary approaches as far as education. I think education, not being an educator myself, ought to be age appropriate. I would also point out that there have not been signifi-

cant changes as far as the update for this site in that they're trying to hold down the cost. To the extent that work has taken place, \$10,000 has been spent in fiscal year 2011, not necessarily in the coming year. There is no anticipated incremental cost for the "Energy Kids" Web site in the fiscal year 2012 President's budget.

But the reason I really rise in opposition is not necessarily over the details but with respect to the idea that we should not look for ways to educate young people in this country. We are having a tax on science; we are having a tax on scientific knowledge; we are having a tax on education. What is wrong at this late date with educating young people and having the Federal Government reach out and provide information on conserving energy, on using it wisely, recycling, so that we can reduce our dependency on energy?

We have programs—and have had them for years—on drugs. Maybe for those under 18 we shouldn't have any Federal expenditures to educate young people about drugs because, well, we've got to save money. We're at a spot where we just can't spend any more Federal funds on education. We have an obesity problem in this country. Youth obesity is at a crisis level, but maybe what we should do is say, If you're under 18, we don't want to spend any money educating you because we can talk to you when you're 19. We have a problem as far as people not getting enough exercise. Too many people use elevators. They park their cars close to the door. So maybe we shouldn't spend any Federal resources educating young people about, you know, you should walk once in a while. You shouldn't sit on that couch all day. You shouldn't watch that TV all day.

So let's stop educating. Let's stop using any Federal money because we've got a debt crisis here—and I acknowledge that. So let's just stop educating young people. Let's just stop, and we'll wait until they're all 18 and they have type 2 diabetes. Then we'll stop because they've got a drug problem, and maybe we can convince them to get off of drugs when they're 18. Maybe we'll convince them they ought to get on a treadmill when they're 18. In this case, when are we going to start?

As a parent myself and not an educator, my sense is the damage is done for young people. That's why we have a Head Start program by the time they start school. Children have that impression. They gain that knowledge. They have values that are transferred to them by their parents. I certainly think there is an absolute role by the Federal Government to help young people know what are the values and what are things to do that will improve our society for them and their generation. So I am strongly opposed to this amendment.

I reserve the balance of my time.

Mrs. ADAMS. I appreciate that. I too want to encourage our young people to get outside and exercise instead of

staying on their computers and playing Sudoku games and other games through this Web site.

We need to look at the funding that's being spent. While you've quoted numbers, the Secretary couldn't give me any numbers in committee. We've asked for those numbers, and he still has yet to provide them.

I ask my colleagues to support this amendment.

I yield back the balance of my time.

Mr. VISCLOSKY. The gentlewoman talked about getting people away from their computers, and I would agree that we need a balance in life. That's why we should educate people—children—that there is a value of sitting in front of that computer, in gaining knowledge through that computer and in using it for their homework—but then getting out and exercising, making sure they know they shouldn't do drugs, making sure they should eat appropriately.

Not being a terribly compliant person as far as technology, I understand that you could take a walk and still access that site. So why don't we do both. I would ask the gentlewoman to consider withdrawing her amendment, but I will state my opposition to it.

I yield back the balance of my time.

□ 1920

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Mrs. ADAMS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. ADAMS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Florida will be postponed.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I yield to the gentleman from Oregon.

Mr. WU. Mr. Chairman, I would like to engage in a colloquy with the gentleman from New Jersey.

Throughout this debate on the Energy and Water appropriations bill, we have discussed the importance of research and development of new energy technologies. However, I would like to highlight the importance of demonstration projects that are carried out within the Department of Energy's Building Technologies Program.

The Department of Energy spends millions of dollars each year on research and development for new technologies. However, that R&D often reaches a point known as the Valley of Death. The Valley of Death is where promising new technologies fade into obscurity because they can't attract the capital investments to move from concept to commercialization.

In essence, on one side of the Valley of Death is research and development;

good ideas. On the other side is the actual deployment and commercialization. A demonstration project takes the research and development just a little bit further and bridges this divide so that private entities will be interested in deployment, private entities will be interested in commercialization.

This good use of federally funded demonstration projects is critical to reducing the risk to private sector investors and allows technologies to cross the Valley of Death and establish commercial viability for investors and, indeed, attract their interest.

I strongly believe that in the course of our discussion about funding for the coming fiscal year, it is important to highlight the importance of the Building Technologies Program's demonstration projects. I very much appreciate our previous discussions that I have shared with the chairman and ranking member, and I would be interested in the chairman's insight into this matter.

Mr. FRELINGHUYSEN. I agree with the gentleman about the importance of projects that develop new, extraordinarily beneficial technologies that would never be developed without Federal investment. It is critical that we maintain a national investment in activities at the Department of Energy that protect our country's security and competitiveness.

The Building Technologies Program at the Department of Energy has played a significant role in developing technologies that are too risky for the private sector to invest in alone and that will substantially reduce energy costs for American homes and businesses. The government's role in energy should not extend to commercializing new technologies. It is the role of the private sector to deploy them.

However, without many of the projects that develop these new technologies, it would be too risky for private companies to invest. I want to thank the gentleman for his deep commitment to advancing American technology and innovation, and I look forward to continuing to work with him on this important issue.

Mr. WU. I thank the chairman and the ranking member for their engagement in this issue, and I look forward to working with them.

The chairman knows that fully 40 percent of total energy use in America is in buildings and fully 70 percent of electricity use is in buildings. So when we make buildings more efficient, this is indeed the low-hanging fruit toward future energy efficiency, and in fact the ability to bring new, innovative American-made technologies to market is key to rejuvenating our economy. Successful projects in the Building Technologies Program will result in the manufacture and sale of new products here in the United States and result in rejuvenating our economy and building good American jobs here.

I thank you, Mr. Chairman. I thank the ranking member.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BASS of New Hampshire) having assumed the chair, Mr. REED, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

HR OF MEETING ON TOMORROW

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

JOBS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from New York (Mr. REED) is recognized for 60 minutes as the designee of the majority leader.

Mr. REED. Mr. Speaker, I rise today to have an important discussion that we should focus on, I believe, here in the House, in the Senate, and in the White House. That is a discussion focusing on jobs. We need to get America back to work. We have been focusing now on this side of the aisle, in our committee work, day after day after day to present proposals. We've moved them. We've adopted them here in the House. The focus is on policies that are going to promote the private sector, that are going to promote the development of an environment where people will take the risk and become job creators and put people back to work here in America.

I talk often in my office back in the district, as I go out to town hall meetings and have conversations with people as I go down the street to our local supermarket and to our local stores. I focus on four areas that we need to adopt legislation on here in Washington, D.C., or repeal legislation on in Washington, D.C., that will create an environment where jobs will be created for generations to come.

The first and probably the most appropriate and important focus that we should be spending time on today is the question of getting our fiscal house in order. We have had a lot of debate over the last few months, weeks, about this debt ceiling that's coming to roost and the vote that we're going to have to take here in the House, I would imag-

ine. One of the reasons why that issue is so critical to us at this point in time is we need to demonstrate to the world that America is going to get its fiscal house in order once and for all so that our markets recognize that we are serious about this issue, that we recognize that \$14 trillion of national debt is just not sustainable and that it really will destroy America as we know it, and, more importantly, what it will do when we send a message. If we can adopt a policy here out of Washington, D.C., that deals with the debt ceiling but fundamentally deals with the underlying debt, it will send a message that the American market is something that you can invest in again, around the world, that foreign investors, domestic investors, will have the confidence and the certainty that America is a place to invest your dollars, your foreign currency, to create the new environment, the new marketplaces, the new facilities, the new manufacturers, the new industrial base to put people back to work again.

□ 1930

I am extremely confident that we here in the House of Representatives, and particularly on our side of the aisle, can come to a reasonable solution to this debt ceiling issue and do it in such a way that takes care of the debt ceiling crisis but that also takes care of the underlying debt crisis that put us into this situation and will continue to put us in this situation unless we get serious and deal with it now. This is the time. This is the moment. And that will send that indication to the world that America is strong, and we can invest here and put people back to work.

The second thing that I tell people as I go around and I talk to them in my district and I talk to people on the street and see them as we go down the road is that what we need to do in Washington, D.C., is to set the agenda out of the House that will create an environment where regulations out of Washington, D.C., are cut, are repealed, are streamlined, so the bureaucratic red tape that our job creators, that the private sector in America faces day in and day out—as a private business owner myself before I came to this Chamber, starting and opening four businesses, I can tell you, as I went through employing people and taking the responsibility and taking the risk of putting my capital on the line, putting my family on the line for all the time and the resources that we committed into it, the bureaucracy that I dealt with in creating those businesses and putting those people back to work was mind-boggling.

I talk to business owners all across America and people that want to go out and start their own businesses, and what they tell me is all I want to do is manufacture my widget, all I want to do is go out and provide the service that I enjoy doing, that I have made my career or my passion in life. But